

PLANS BOARD

Minutes of a meeting of the Plans Board held on Wednesday, 2nd June, 2010 at 6.00 p.m. in the Civic Offices, Telford, Shropshire

PRESENT: Councillors N.A. Dugmore (Chairman), R. Aveley (substitute for Councillor D.R. Chaplin), J.A. Francis, R.T. Kiernan, G.M. Green, F.R. Picken, H. Rhodes and M.J. Smith

ALSO PRESENT: Councillor A.J. Eade (for planning application W2009/1023)

PB-1 CHAIRMAN'S ANNOUNCEMENT

The Chairman welcomed Councillor R.T. Kiernan, Vice-Chairman, to his first meeting of the Board and said that he looked forward to working with him and to the experience he would bring to the Board.

The Chairman also wished to record the Board's thanks to Councillor R.G. Chaplin for her sterling service whilst a member of the Board and to Councillor I.T.W. Fletcher as Chairman of the Board.

PB-2 MINUTES

RESOLVED – that the minutes of the meeting of the Plans Board held on the 12th May, 2010 be confirmed and signed by the Chairman.

PB-3 APOLOGY FOR ABSENCE

Councillor D.R. Chaplin

PB-4 DECLARATIONS OF INTEREST

Councillor R. Aveley declared a personal and prejudicial interest in planning application W2010/0146 and stated his intention to leave the room during determination thereof.

PB-5 TREE PRESERVATION ORDER 2009

The report of the Head of Governance informed the Board that, on the 26th November, 2009, a provisional Tree Preservation Order was made in respect of an Oak tree, designated as T1 on the map included in the Order.

A letter of objection, dated 11 December, 2009 was received from the occupier of 76 Hadley Park Road, Leegomery, Telford and on the 21st December, 2009 an objection was received to the Order from the owners of 74 Hadley Park Road, Leegomery.

The report set out the objections submitted by the owners of 74 Hadley Park Road. When purchasing the property, the solicitors acting for the vendor had confirmed that the tree was owned by and the responsibility of the Highways Department and since purchasing the property the owners believed that the tree had been maintained by

the Council, as they have removed branches from it on several occasions. In addition, following damage to the property caused by a falling branch, the Council had instructed its insurers to deal with the matter.

In response the Arboricultural Officer had stated that it had been confirmed by the Council's Geographical Information System and the Adopted Highways that the tree was not within the ownership of Telford & Wrekin Council but it had been confirmed by the Land Registry that the tree was within the curtilage of 74 Hadley Park Road. The Arboricultural Officer had issued a provisional Tree Preservation Order in response to what he considered was a perceived threat that it might be felled.

The report detailed the objections received from the occupier of 76 Hadley Park, Leegomery, Telford. They were of the opinion that the tree had been excessively cut back several times leaving it as an eyesore which was now not worth preserving for its visual amenity value. In addition, they considered that it had no significant impact on its surroundings. In response the Arboricultural Officer explained that the tree had been cut back previously at the expense of the Council following requests from residents of neighbouring properties. However, it was now starting to make a full recovery as could be seen from the pictures attached at Appendix B of the report. Whilst the tree has no significant impact on the local surroundings because its original appearance had been lost, it clearly had an impact on the visual amenity and bio-diversity of the area having reached an age of around 150-200 years, thereby offering both cultural history and an established wildlife habitat. The pruning carried out to tree would prolong its life as it had lessened the sail area of the canopy and shortened the lever arms of the branches making wind throw and branch breakage less likely. Given its species type, cared for correctly the tree could survive into the next century and beyond. When heading north from Leegate Avenue down Hadley Park Road, the Oak was the first prominent street tree and when travelling south down Hadley Park road from Okehampton Road, the tree was the third prominent Oak, the other two being under the ownership of the Council.

Member' attention was drawn to the point that the ownership of the land on which the tree was located was not a material matter when issuing or considering the confirmation of a Tree Preservation Order.

Councillor M.J. Smith stated that this was a prominent tree within its location and, as an English Oak growing alongside a road, was worthy of retention.

RESOLVED – that the Borough of Telford & Wrekin (74 Hadley Park Road, Leegomery, Telford, Shropshire) Tree Preservation Order 2009 be confirmed without modification.

PB-5 PLANNING APPLICATIONS FOR DETERMINATION

(a) W2009/0905 – Land at Mere Park, Stafford Road, Newport, Shropshire

The chairman informed the Board that this application had been withdrawn by the applicant.

- (b) W2009/0934 – 5 Audley Avenue Retail Park, Audley Avenue, Newport, Shropshire

The Chairman informed the Board that this application had been withdrawn by the applicant.

- (c) W2009/1023 – Land at Mere Park, A41, Stafford Road, Newport, Shropshire

This was an outline application for the construction of a new unit of 1,556sqm gross on land east of and fronting the Newport By Pass (A41). The net retail floorspace would be 1,286sqm plus 270sqm given to offices, storage and staff accommodation. There would also be a dedicated car park for the retail unit to accommodate 90 vehicles. Access would be off the spine road that led to the Mere Park Garden Centre from the A41 by-pass, which, in turn, connected to the Stafford Road (A518). There was no occupier specified for the retail unit, but the applicant had assessed the proposal as for a “*discount retail food store*”, which would include the likes of Netto, Aldi or Lidl.

The Design & Access Statement indicated that the proposed unit would be a modern, single storey building with an overall height in the order of 7.5m. The design and its energy credentials could be considered in any reserved matters application, should planning permission be granted.

The applicant, Growing Enterprises Ltd, had appealed against the non-determination of this planning application within the prescribed 13 weeks, which expired on 2nd March 2010. A Public Inquiry was scheduled to commence on 10th August 2010 and it was necessary for the Local Planning Authority to determine what its position would have been if the appeal had not been made. The report before Members asked them to consider the application and make a recommendation on the basis that the Authority still had the powers to determine the application. This was necessary in order to inform the stance that officers would adopt in respect of the appeal. The applicant had also submitted a duplicate of this appealed application (W2010/0185) and, if Members were minded to resolve that they would have granted permission for the appealed application, it would facilitate an appropriate decision on that duplicate application at a subsequent Plans Board meeting.

The applicant had requested the current application be considered at the same time as a similar food store proposal (W2009/0934) via a S73 application at the Classic Furniture/Parkland House sites at Audley Avenue, Newport, to vary condition 21 of W2009/0312 to allow the sale of food with ancillary non-food goods from one of two retail buildings (1,394sqm gross) that had been granted outline planning permission. This application had been withdrawn prior to the meeting of the Board but the applicant had submitted a duplicate application for determination by a later Plans Board.

The Board’s attention was drawn to the current planning history of the Mere Park site, as detailed in the report, including a number of applications yet to be determined and several units that had planning permission but had not yet been built.

The consultation responses received, including objections from the Council's Highways Engineers, Newport and District Civic Society, Newport Town Council, the Ward Member (Councillor A.A. Meredith), Chetwynd Aston Parish Council, and two local residents were detailed in the report. A letter of objection had also been received from the applicants of the Classic Furniture food store proposal at Audley Avenue. Eight letters of support from local residents had been received, as summarised in the report.

Regional Planning Policy acknowledged that markets towns, such as Newport, had an important role and that new shopping development should be located within the centres but, if no sites existed, then advice in national guidance should apply (i.e. PPS4). At the local level, the Council's adopted Core Strategy also sought to support the regeneration of Newport and its role as a market town with specific policies CS6 (Newport) and CS8 (Regeneration).

When the application was submitted the relevant national retail policy was contained within PPS6 but this was cancelled with the publication of PPS4 in December 2009. This new policy removed the requirement that retail development outside town centres had to meet a "retail need" test. However, other tests remained, in particular, the sequential assessment of alternative sites with preference given first for existing centre sites followed by edge-of-centre. A further test was that relating to impacts on town centre considerations. Policy was to support town centres and to seek to avoid adverse impacts, as set out in the report, from development which was outside the town centre and PPS4 permitted other local town centre impacts to be identified. In the context of Newport, with its town centre conservation area and a number of listed shop buildings on the High Street, impact on these heritage assets would seem a relevant issue.

The Development Plan provided a similar policy basis for making decisions but PPS4 was an important material consideration affecting the weight that could be given to some policies that might conflict with its approach. However, in terms of the local dimension, most Local Plan and Core Strategy policies remained relevant. Both regional and local planning policy recognised market towns as playing a key role in providing services and other facilities to both the town and their rural hinterlands. Regional Policy RR3 expected retail proposals to be located within the town centre where sites existed and, where sites did not exist, it expected the development to meet the sequential site selection tests as set out in PPG6 (now PPS4).

One of the Council's long-term development visions was to support and strengthen the role of Newport as a market town acting as a service centre for the town and its rural hinterland, as endorsed by Core Strategy Policies CS6 and CS8. Improving the six Borough towns (including Newport) was a key priority for the Council and funding had been secured in Newport to improve the public realm through the Borough Towns Initiative. This would help to realise one of Newport's regeneration strategies of improving the town's shopping environment to make it safer and a more attractive experience for shoppers and visitors, to increase the vibrancy of Newport's retail core, increase the viability of a number of small retailers which in turn would help improve the vitality of Newport's retail sector to retain Newport's position within the sub-regional retail hierarchy.

Because of the specialist assessment required, the Council had taken advice from an independent retail planning consultant and his report had reviewed the application against all of the PPS4 tests. In the context of a full review of local planning policy in both the Local Plan and Core Strategy, the Consultant's assessment of the health of Newport town centre had identified a number of key threats, namely:

- The limited stock of available premises;
- The size and shape of available premises;
- The cost of maintaining retail premises in a heritage asset;
- The relative lack of multiple retailers;
- The inertia in bringing forward potential development opportunities;
- The lack of recent private sector investment, and
- The risk of an ineffective "return" for the Council in terms of investment in public realm improvements.

His report then considered the retailing characteristics of the proposed development and identified how Newport town centre currently provided for the food discounter function. His analysis of the retail provision in Newport found that there was "*variety and choice of discount and other retailers selling goods at lower or value prices, often alongside respected brands. Our review indicates that a justification for the proposal on qualitative grounds, i.e. extending choice and/or competition, is therefore limited*". The report also identified the prospect that a much greater proportion of the proposed store's trade would be diverted from the town centre than was suggested in the applicant's Retail Impact Assessment. The Council's Consultant had relied upon the survey information which informed the Telford & Wrekin Retail and Leisure Study, 2007 (TWRLS) to identify limited use of existing food discounter stores in Telford and Wellington by residents of Newport and its catchment area. By considering the extent that such residents currently relied on town centre supermarkets, he was able to estimate a circa 10% impact on the turnover of existing convenience goods shops, as a whole, within the core part of the centre's shopping area, i.e. the area focused on the High Street.

Taken in the context of the fragility of the town centre identified in the Consultant's report and also considering the reliance on discount retailing (either in part or whole) that many town centre retailers relied upon; the generally high level of accessibility enjoyed by the town centre; the return that the Council's current public realm investment should be permitted to achieve (including helping to bring the prospect of other town centre or edge of centre sites forward) and the potential importance of protecting and enhancing the town centre's heritage assets, he had come to the conclusion that the food retail proposal at Mere Park would cause a "*significantly adverse impact*" on a range of important town centre considerations. The advice in PPS4 was that with such an impact, "*permission should be refused*".

The Council's consultant did not dispute that the proposal would bring some qualitative benefits relating to extended retail choice and competition to Newport. However, the additional choice provided would not be substantial bearing in mind the existing availability of discounted ranges across a number of stores and shops in Newport and within the market hall. The benefits of competition need to be weighed against the negative impacts on existing retailers and the importance of maintaining an effective and vital town centre. He had further advised that the applicant's Retail

Impact Assessment substantially overestimated the ability of the proposed store to claw back expenditure from Newport area residents that currently went to the Asda at Donnington Wood and other large superstores in Telford and Wellington and, in particular, had overestimated their use of the existing discounter food stores in Telford and Wellington.

The applicant's analysis had suggested that only £0.48m of trade was diverted from Newport's town centre food or convenience goods shops and stores out of a total estimated turnover of £22.5m, which represented only a 2% diversion of trade. This was a much lower impact than the Council's Consultant's figure of circa 10%, although that was based on different assumptions. Using the TWRLS survey information he had found that, because food discounters had a relatively local influence, more trade would be diverted from the Somerfield store in the town centre and other discount retailers, such as B&M Bargains as well as independent shops and market traders.

As advised by the Council's Consultant, it was not just the amount of loss of trade that the existing stores would suffer, in particular Somerfield as it had a more central location, but the loss of the number of people/shoppers frequenting this and other stores and hence a loss of people visiting other shops in the high street either on purpose or incidentally while passing. This would reduce the number of people making use of the retail offer in Newport as a whole, which would have an adverse impact on the town centre. The proposed development would be located in an out-of-centre and out-of-town location at Mere Park where it would be less able to offer linked trips, choice and competition with the town centre, even with the subsidised bus service between Mere Park and the bus station. Therefore, the proposed discount food store in an out-of-town location would adversely impact on the existing discount retail sectors in Newport and affect the town's overall viability by removing them from an accessible town centre. This would disadvantage many with consequential social exclusion issues which Council Policy CS9 sought to avoid.

With regard to the sequential site test, PPS4 required a sequential assessment to be done to fully explore alternative sites closer to the town centre, as set out in the report. If no town centre sites existed, preference should then be given to edge of centre sites and should look at site availability, viability and suitability. In looking at the sequential search the Council had also sought legal opinion in response to the applicant's concern that out-of-town sites had been wrongly discounted by the Council last summer when considering the Mere Park and Audley Avenue comparison retail applications. Legal advice had confirmed that it could not automatically be concluded that a site which was out of town was less preferable to one which was within the urban area.

With regards to alternative, more central sites on which the proposed development might be located, the applicant had considered 22 sites. The Council's Consultant had reviewed all the sites assessed and suggested that only two need detailed scrutiny, namely site 5, the concrete batching plant at Avenue Road, and site 22, Land off Water Lane.

The concrete batching plant had a Council resolution to grant outline planning permission for residential development dating from March 2009 subject to completion

of a S106 agreement. The applicant for this site now wished to progress the site having apparently found a developer but the likelihood of it being developed for residential purposes was currently unclear. The land off Water Lane could have scope for a retail development in a potentially mixed use scheme on what was an edge-of-centre location close to the centre of Newport, the public car park and the bus station. The Council had a desire to re-develop this area to help accord with its policy objectives of regenerating Newport to strengthen its role as a market town and had produced a Planning Statement indicating very broad mixed development aspirations. However, the land was in multiple ownerships that could make land assembly more difficult without owner co-operation.

In the context of the relatively fragile health of Newport town centre, the limited qualitative needs or benefits that supported the proposal and the prejudice that allowing the proposal could have on bringing forward part of this area for retail use, the Council's consultant considered it reasonable to adopt a longer term view of the site's availability beyond the usual 3-5 years given that the town centre was not strong. Therefore, the Council would conclude that there were other sites closer to the town centre that were available and sequentially preferable to the proposed site at Mere Park.

With regard to accessibility, shopping for food was an essential and more frequent activity than shopping for comparison goods and required a relatively high degree of accessibility particularly to those without access to a car. Whilst the site might benefit from a half hour inter urban bus service with a subsidy currently providing free travel between the garden centre and Newport bus station between the hours of 09:30 a.m. and 15:30 p.m., the majority of Newport's residential area was not particularly accessible by bus. In addition, access for pedestrians and cyclists was poor compared to the town centre. Even though there were pavement links from end of Stafford Street to Mere Park, pedestrians and cyclists would need to cross the busy A41 by-pass or negotiate the roundabout at the A41/A518 junction, which was particularly poor for the mobility impaired.

With regard to other relevant issues, the proposal would not achieve any local regeneration but would have adverse economic effects on the town centre. PPS4 recognised that job creation was economic development and, according to the applicant's Retail Statement, the new store would create approximately 25 new jobs. However, after allowing for related local job losses arising from retail impacts on existing outlets, the increase in jobs was likely to be modest and not significant.

The site fell outside the urban area of Newport being in the rural area. Core Strategy Policy CS7 limited development in the rural area to that which was necessary to meet the needs of the rural area. Whilst there might be some qualitative benefits associated with the proposal these were not seen as constituting the kind of needs that the Core Strategy intended in consolidating market town centres. The proposal was, therefore, an unnecessary extension into the countryside and beyond the curtilage of the garden centre. Granting permission would also consolidate a mixed use development in the rural area which would be undesirable as it would create an alternative focus to Newport's town centre.

In conclusion, in the context of the fragile health of Newport town centre, and the role that discount retailing played there, significant adverse impacts on the centre had been identified, concerning:

- prejudice to existing and future planned investment;
- effects on retail vitality, viability and diversity;
- a high level of trade draw, and
- risk of harm to the centre's heritage assets.

This would adversely affect efforts to regenerate Newport and strengthen its role as a market town and hence would be contrary to WMRSS Policy RR3, Core Strategy Policies CS6 and CS8 and WLP S1. Assessment of the sequentially preferable sites had identified prospects to accommodate the proposed development but permitting this retail development would thus reduce the prospects of addressing the need to enhance and regenerate the town centre. It would, therefore, be contrary to WMRSS Policy RR3, Core Strategy Policies CS6 and CS8 and WLP1.

The site was not accessible to the extent required to support food retail development. Discount food retail outlets ought to be easily accessible to most sectors of society, particularly those who did not have access to a car. The proposed development, therefore, conflicted with Core Strategy Policy CS9. Finally, the development site lay outside the built up area and did not comply with the Rural Area policy CS7 of the Core Strategy.

The Ward Member, Councillor A.J. Eade, was invited to address the Board. He said that he wished to reinforce the detailed officer report and its focussed conclusions before Members, and supported the recommendation that if the Board had been able to determine this application it should refuse planning permission. Councillor Eade wanted a clear message to be sent out that the regeneration of the Borough Towns was a key issue for the Borough and considerable work had already been done within Newport such as the improvements to Victoria Park and the repaving and additional car parking which aided shoppers and which was due to start that month. The impact of this proposal on existing food retail outlets would be detrimental and result in empty sites. Newport was a key market town which was just coming out of recession and the impact of the proposal and on the rural hinterland would be considerable. He felt that creation of 25 new jobs would not be a great lure and might not even be taken up by people from Newport. A further key issue was the fact that the Council did not wish to see development on greenfield, rural sites, as set out in Policy CS7.

The Council's Retail Consultant, Martin Robeson, was also invited to speak to the Board and reiterated the comments made in the report regarding the new guidance provided by PPS4 whereby quantitative need was no longer a key consideration. He accepted that increased choice and competition were still key but they were not sufficient to merit granting planning permission. He made reference to the sequential approach, which was a somewhat intangible concept, and advised that the permission should not be given in order to solve a short term issue which could prejudice the prospective of the right site adjacent to the town centre which could form part of the politically driven regeneration of Newport.

Members supported the recommendation as they were of the view that the existing businesses in Newport town centre needed to be protected. Councillor Green added that not all shoppers in Newport would be able to travel by car to Mere Park. Councillor Aveley added that, if approved, this proposal would result in Newport losing its niche market at a time when the Borough Towns Initiative was working to return these areas to what they once were.

RESOLVED – that had the Council jurisdiction to determine this application, it would refuse it for the following reasons:

1. **The proposed development would have a significant adverse impact on Newport Town Centre and threaten its role as a market town and undermine its position in the retail hierarchy of the Borough and hence was contrary to PPS4, Regional Spatial Strategy policy RR3, Core Strategy policies CS6 and CS8 and Wrekin Local Plan policy S1;**
 2. **The proposed development was capable of being accommodated on a sequentially preferable site and hence the proposal was contrary to PPS4;**
 3. **Notwithstanding the bus service close to the site, the location performed poorly (particularly compared with the town centre) in terms of access by a choice of means of transport. The proposed location was not reasonably accessible for food retailing, where good access for those without a car was key and where social exclusion issues were to be avoided. The proposed development was, therefore, contrary to PPS4, Regional Spatial Strategy policy RR3 and Core Strategy policies CS7 and CS9;**
 4. **The proposed development would not meet needs limited to the Rural Area and where development is strictly controlled. It would therefore be contrary to Core Strategy Policy CS7;**
 5. **There were insufficient material considerations in favour of the proposal to overcome the identified significant adverse impacts and breaches of development plan policy.**
- (d) W2010/0066 – Holmer Lake County Primary School, Brookside Avenue, Brookside, Telford, Shropshire

This is a retrospective application by Telford & Wrekin Council for a new boundary fence which had been erected to improve security in the school grounds. It was of a metal palisade type, 2.4 metres in height and finished in dark green.

The school grounds were situated within the Green Network and the main issue related to the visual impact of the fence in the surrounding area. It was unobtrusive and had little impact on the existing vegetation and planting which surrounded the school. There was existing green-painted 2.4 metre metal fencing and security gates at the school entrance. The siting of the fence accorded with the general objectives of Green Network policy.

The fence was considered an acceptable boundary treatment for the school site and provided increased security. It was of a satisfactory appearance and did not adversely affect the amenities of the surrounding area and had little effect on the public footpath to the west of the school site.

RESOLVED – that with regard to planning application W2010/0066 planning permission be granted subject to the conditions as set out in the report.

(e) W2010/0137 – John Randall County Primary School, Queen Street, Madeley, Telford, Shropshire

This application by Telford & Wrekin Council was for the erection of a single storey flat roofed extension to the rear of the building. It would be sited between the two projecting wings and would provide a conference room and additional teaching space. The proposed extension was of a relatively small size in comparison to the main site measuring approximately 6m by 8m with a height of approximately 3m. It would be entirely at the rear of the property and therefore be of a subservient nature to the main building and would not dominate the surrounding area.

The proposed development would retain the form of the existing building with a flat roof to a similar height and be constructed from rendered walls painted alongside grey trespa panels. Although this did not match that of the existing building, it would be sympathetic to that of the main building and the proposed development would, therefore, be in keeping with the character and appearance of the main building and surrounding area.

The proposed development would be over 50m away from the nearest neighbouring property. As the proposal was single storey and would be well screened by the existing building, it was not considered to be of detriment to the amenities of neighbouring properties. The school had extensive playground area and, therefore, the small extension would leave an adequate area of play.

The update sheet tabled at the meeting informed Members that comments had now been received from Madeley Parish Council. It had no objections to the application subject to any comments from Environmental Health relating to the loss of natural light and ventilation to the school kitchen adjacent to the extension. Informal preliminary discussions with the Environmental Health Officer had suggested that there were no concerns and the Building Control Officer had stated that this point would be assessed within a building regulations application.

Therefore as the scheme is considered to comply with planning policy and the issues are controlled under other legislation, the officer recommendation has not changed.

RESOLVED – that with regard to planning application W2010/0137 planning permission be granted subject to the conditions as set out in the report.

(Councillor R. Aveley having declared an interest in the following application left the room during determination thereof.)

(f) W2010/0146 – Telford College of Arts & Technology, Haybridge Road, Wellington, Telford, Shropshire

This proposal was for the change of use of landscape buffer land to college use, construction of a full size 3G artificial football pitch and security fencing together with the erection of a new retaining wall, boundary fence and outdoor lighting. The application was part of a wider joint scheme between TCAT and AFC Telford for a new sports hall, artificial pitch and five a side football complex, for which funding from Sport England was being sought. Sport England had no objection in principle and considered that the proposed development had the potential to deliver significant benefits to sports participation which would outweigh any likely detriment to sport that would occur from the playing field loss. Whilst Football associations continued to prefer natural turf grass, artificial grass facilities did provide durable and flexible provision. The facility would also be for the college and wider community.

The Plans Board had previously resolved in October 2009 to grant planning permission subject to a prior Section 106 Obligation for significant development but this had failed to secure Government funding and the Section 106 remained unsigned and the planning permission had not yet been issued. However, it was reasonable to conclude that the principle of sports pitch development at this site had been largely established by the previous application. The application site was located within the Green Network but officers considered that the proposal would not significantly affect its function and would be compatible with the aims of Policy OL5 as the proposed pitches would increase the ability for recreational participation.

The proposal included the change of use of land currently forming part of the landscape planting buffer along Whitchurch Drive to enable the creation of the 3G pitch. This would require the removal of some semi mature trees and other planting but this was acceptable provided a programme of replacement was agreed and was a condition of the consent. A landscaping strip would be retained with Whitchurch Drive to create a buffer with this busy highway route.

The proposed pitches would be available for the wider public along with the College use and would add to the wider provision of sports and recreation facilities within the borough. The location of the site close to Wellington District Centre and with public transport links adjacent to the site comprises a sustainable location for additional community facilities in accordance with policy CS10 of the LDF core strategy and saved policy LR1 of the Wrekin Local Plan.

The design of the pitches, fencing and lighting were standard designs for these types of development and would be in keeping with existing characteristics of the site and reinforce the character of the area thereby satisfying the design requirements of policy CS15 of the LDF Core Strategy and saved policy UD2 of the Wrekin Local Plan. The proposal would create a formal artificial floodlit pitch for use in the day and evenings but it would be located in excess of 130 metres from the nearest residential property, therefore issues of light pollution were not anticipated. An informative to ensure that installation resulted in no glare would be attached to the Notice of Permission. It was not anticipated that the proposal would result in adverse noise given its location and screening by other college buildings and,

therefore, it was considered that the proposed development would not have an adverse impact on the amenities of nearby residential properties.

It was not anticipated to increase usage at peak times during the day. There was adequate parking provision within the site and a current arrangement with AFC Telford United that permitted use of the Bucks Head car park by students etc. which it was believed would continue. Therefore, the proposed development would not have any highway implications.

In response to a question from Councillor H. Rhodes regarding the proximity of the proposed 3G pitch to Whitchurch Drive and concerns about balls being kicked onto the road, the planning officer confirmed that the proposed fencing between the two would be 4.5m in height.

RESOLVED – that with regard to planning application W2010/0146 planning permission be granted subject to the conditions as set out in the report.

(Councillor R. Aveley returned to the meeting).

PB-6 SITE VISITS

None.

The meeting ended at 6.40 p.m.

Chairman:

Date:

TELFORD & WREKIN COUNCIL

PLANS BOARD

23RD JUNE 2010

Schedule 1 - Planning applications for determination by Board

TWC/2010/0036 Dawley Regeneration, Dawley, Telford, Shropshire, Outline application for a mixed use development of 35.3 hectares of vacant land at Dawley and Malinslee comprising of a new school and associated sports pitches, retail units, residential dwellings, a nature park, a childrens playground, BMX track, public open space, landscaping and rights of way and associated works (outline) 2	
TWC/2010/0037 Dawley Regeneration, Dawley, Telford, Shropshire, Full planning application for infrastructure and drainage works for Dawley and Malinslee Regeneration Phase 1 Land of 14.93 hectares. Works comprising earthworks, drainage, a spine road of approximately 0.55km and detailed planting schedule. (This application is submitted further to TWC/2010/0036 an outline application for the Dawley and Malinslee Regeneration site of 35.3 hectares)..... 23	
TWC/2010/0056 Greenhurst, 14 St Lukes Road, Doseley, Telford, Shropshire, TF4 3BD Application to replace extant planning permission W2007/1277 for the erection of 3no. detached dwellings (outline planning application) 33	
TWC/2010/0095 69 King Street, Wellington, Telford, Shropshire, TF1 1NS Change of use from former Public House to Residential Institution with associated Cafe 37	
TWC/2010/0097 27-31 High Street, Wellington, Telford, Shropshire, TF1 1JW Application to replace extant planning permission W2007/0536 for part demolition of vacant shops and erection of 12no. residential units 41	
TWC/2010/0120 Land north of Brookside Primary School, Beaconsfield, Brookside, TF3 1LG Outline application for residential development..... 45	
TWC/2010/0129 234 The Tuckies, Jackfield, Telford, Shropshire, TF8 7LT Erection of a Detached House with a Detached Garage/Studio and Vehicular Access 50	
TWC/2010/0174 Sutton Hill Centre, Sutton Hill, Telford, Shropshire. 2 new retail units with 4 residential flats and new infrastructure incorporating public square, car parks and carriageways..... 56	

TWC/2010/0036 Dawley Regeneration, Dawley, Telford, Shropshire,
Outline application for a mixed use development of 35.3 hectares of vacant land at Dawley and Malinslee comprising of a new school and associated sports pitches, retail units, residential dwellings, a nature park, a childrens playground, BMX track, public open space, landscaping and rights of way and associated works (outline)

APPLICANT

Mr James Dunn

RECEIVED

09/04/2010

PARISH

Great Dawley

WARD

Dawley Magna, Malinslee

CASE OFFICER

Emma Green

MAIN ISSUES:

Environmental Impact assessment, green network, ecology, ground conditions and land contamination, highways, drainage, urban design, landscaping, retail, housing and community uses.

HISTORY OF PROPOSAL:

In 2007 Telford and Wrekin Council launched a plan to regenerate Dawley through the Borough Towns initiative. The initiative includes physical regeneration measures to help the economy of Dawley and Malinslee through the provision of new retail, community facilities, a range of quality new homes, employment opportunities and public open space, with ecology parks, children's play areas and 'greenways' linking Dawley and Malinslee to Telford Town Park and Town Centre,

The original idea sought office, retail, indoor sports, petrol filling station, up to 1000 dwellings and Ecology Park. This high density of development was considered unacceptable in planning and urban design terms and consultation lead to greater understanding of the sites physical constraints, i.e. mineshafts, grounds conditions etc.

Masterplan option b was open to public consultation in February 2009 and included 650 dwellings, 80 unit extra care complex, 1500 sq.m. Commercial use and 4500 sq.m. supermarket, landscaping and ecology park. This scheme was considered to offer greater flexibility in terms of design, whilst being economically viable.

Masterplan option c includes a change to increase the commercial/community element following consultation and the inclusion of the replacement Phoenix school as part of the building schools for the future, rather than remodelling the existing school.

The final submission and master plan has been informed from continued public consultation and guidance from statutory consultees.

PROPOSAL:

This is an outline planning application for a mixed used development with all matters reserved for later determination. The application is subject to Environmental Impact Assessment Regulations, with the proposals accompanied by a full Environmental Statement.

The development is split into two phases and a masterplan has been submitted to illustrate a potential layout of development which is to include the following:

Phase 1:

- 3.2ha retail to include 0.17 ha of retail units comprising one supermarket and 3 smaller units, public realm, parking, planting and roads
- 10.77ha Phoenix secondary school to include building, hard and soft landscaping playing pitches and BMX track, parking 144 spaces and roads planting and wildlife habitat
- 0.8 footpath and junction works

The school is to be located on the western edge of phase 1 and sited to create a link to the High Street, the building is to be a maximum of 3 storey, and will have a variety of sports facilities including football, rugby, hockey and cricket pitches, athletics track, games courts and BMX track. The BMX track will also be available for public and competition use.

The supermarket is located opposite the school, on the northern side of the new access road. The supermarket and three new retail units are to be linked to and complement provision within the High Street. A car parking area is proposed to the east of the store.

Phase 2:

- 9.28ha hard landscaping to include housing, parking, gardens and roads, to include 342 dwellings comprising of 56 x 2 bed, 228 x 3 bed, 44 x 4 bed and 44 x 5 bed houses.
- 11.24ha soft landscaping to include 4.29ha ecology park, buffer planting, open space and ponds

The residential development is for 20% affordable dwellings with a split of social rented and intermediate properties along with 80% open market dwellings. The housing is split into 4 character areas, Dawley Green, Dawley Lanes, Hinkshay Edge and Malinslee Mount, with two density levels proposed. Dawley Green and Hinkshay to have a density of 20-25 dwellings per hectare, whilst Malinslee link and Dawley Lanes to have a higher density of 35-40 dwellings per hectare.

The 4.29ha ecology park is designed to function as both habitat for species and as passive recreation open space. Other open green spaces are to include buffer planting, open space play and amenity including a Neighbourhood Play area and private gardens.

The proposal aims to remediate and regenerate this area and Dawley. It is to provide a mixed use scheme to encourage growth and investment in Dawley and Malinslee. It is proposed to create a sustainable neighbourhood with the use of a school to support and influence local regeneration. It is proposed to improve links between Dawley and the Town Park and to provide a mix of new dwellings consistent with Telford Growth Point objectives. The proposal is designed to complement the activities in the surrounding area, including improvements to the High Street.

The application is subject to an Environmental Impact Assessment and is accompanied by supporting information as follows:

- Design and Access Statement
- Planning support statement
- Retail assessment
- Statement of community Involvement
- Tree Survey
- Affordable Housing Viability Study
- Environmental Statement including technical appendices and Non-technical Summary
- Draft Heads of Terms of planning obligations

In response to issues raised during the consultation period, further information was requested by the Council under Regulation 19 of the Town and Country Planning (England and Wales) Environmental Impact Assessment regulations and on 18th May 2010, the following 'environmental' information was submitted to the council:

- Clarification on horizontal and vertical parameters
- Stage one road safety audit
- Geo-Environmental issues and material management plan Addendum one
- Geo-environmental interpretive report
- Design and access statement addendum one
- Amended cross sections
- Amended masterplan Rev K

SITE DESCRIPTION:

The application site is a 35.3 hectare Brownfield site situated to the west of Dawley High Street, with Telford Town Park to the east, Malinslee to the North East and Finger Road and Hinkshay road to the south. The site is located approx 2 miles to the south west of Telford Town Centre.

The site is predominantly surrounded by low density residential development, which is largely two storey developments, with some occasional 3 or 4 storey flatted developments. Part of the site adjacent to the High Street is located within Dawley district centre. The rest of the site is designated as green network in the Local Plan.

There are several rights of way through the site, including a north south path off Oxford Road, east/west route from High Street to Hinkshay road and Crown Street, and a number of informal pathways. In addition there is a bus route and station adjacent to High Street.

The site consists of 4 distinct areas, Paddock Mount, Portley Corner, Langley Fields and Malinslee.

Paddock Mount is a steeply sloping site on its northern, eastern and southern boundaries, with relatively level connection to Dawley High Street to the west. The ground level is approx 15m above properties to the north.

Portley Corner is elevated from its surroundings, the shape and height creates a sense of detachment. The top of the mount is approx 20m above Portley corner junction of Finger Road and Springhall Road.

Langley Fields is the central linking space between Paddock Mount and Town Park. At the centre is a high and largely flat plateau, with little vegetation. There are steep slopes to the sites boundaries. There is overall a fall of approx 15m from north to south.

Malinslee Mount gradually rises to the south and has a significant mound to the north with steep slopes and is heavily wooded. Overall ground levels change by approx 25m north to south, with less than 5m change east to west.

Portley Corner and Paddock Mount were densely covered with trees, but these have all been removed under a woodland licence prior to submission of this planning application.

PLANNING HISTORY:

There is no relevant planning history in relation to this site.

PUBLICITY AND CONSULTATION:

The application has been advertised in the local press and on site (20 notices) as an application subject of an Environmental Impact Assessment (EIA) and of major significance. In addition 450 immediate neighbours have been notified of the planning application.

A statement of community involvement has been submitted with the application which summarises the consultation process.

Initial consultation in October 2007, was a public event to gather community views with day and evening events in Dawley, Malinslee and Telford and a separate exhibition on Market day in Dawley.

Second state consultation in February 2009 was to test with local residents and other stakeholders, the proposed mix of development with events in Dawley and Malinslee to consider the issues of;

- High street regeneration
- Social housing
- Civic centre
- Retail mix
- Portley corner public/play space
- Ecology
- Consultation impacts
- Amenity
- bus routes
- pedestrian links

Stage 3 public consultation in December 2009 was an exhibition held for plans for housing, open space, supermarket and to relocate the Phoenix school.

Information was distributed by leaflets and press notices and questionnaires used at events to record responses.

CONSULTATION RESPONSES:

The Council's **Environmental Health Officer** has considered the issues of ground gas, spontaneous combustion, material management plan, land contamination, dust mitigation and floodlighting. The information submitted is considered sufficient to understand the environmental impacts of these elements and the EHO offers no objections subject to conditions relating to land contamination, dust management plans, lighting management plan and informative relating to need for permits under separate legislation.

The Council's **Urban Form and Conservation Officer** considers that the retention of the Lord Hill public house, as a locally listed building is acceptable as it forms a natural terminus to High Street at its loss would be detrimental to the character and traditional appearance of High Street.

The Council's **Drainage Engineer** has no objection in principle if development is in accordance with the submitted details and additional detailed schemes are controlled with drainage conditions and informatives.

The Council's **Arboricultural Officer** has no objection to the proposal, as most of the trees of the site have been removed by licence; replacement planting will be secured by appropriate conditions.

Shropshire Fire Service has no objections to the proposal subject to informatives relating to access for emergency vehicles, water supplies for fire fighting and sprinkler systems.

The Council's **Strategic Housing Officer** considers that whilst the proposal for 20% affordable housing is below policy requirements, it is supported by a housing viability study. However, given that the economic conditions can change over the length of the 10 year consent, would recommend that viability is reassessed and higher percentages sought if appropriate up to 38% in line with policy. The tenure mix of 80% social rented and 20% intermediate housing to include shared ownership is deemed acceptable. Property size and type will need to meet a range of needs from 2 to 5 beds, with a good mix across the range to be secured under planning obligations. Whilst details of type have been reserved for later consideration a mix to include flats and bungalows would provide a balanced mix to meet the local requirements of the area.

Environment Agency has no objections subject to conditions and comments; Drainage and flood risk, proposal includes an acceptable drainage strategy with the use of SUDs and tank system to address flood risk. Temporary drainage solution required for the re-profiling works required to implement outline. Further detailed design to be secured through conditions. In terms of groundwater management, the site's previous uses as colliery and landfill waste has impact on water contamination and whilst ground investigation has tested the site, further testing required in some locations, particularly in Phase 1. Materials from landfill A in phase 1 will need

remediation and this is to be controlled via conditions. Japanese knotweed is present on site that needs to be treated and further testing required post removal to ensure no unexpected contaminates.

Recommended conditions:

1. Surface water drainage schemes
2. Contamination assessment
3. Other contaminates
4. No filtration of surface water drainage
5. No piling or other penetrative foundation designs
6. Use of oil separator for water course surface water sewer or soak away

Shropshire County Council's **Archaeological Officer** notes that there could be archaeological remains relating to past medieval industrial activity which may survive on the site. In mitigation recommend a condition requiring a programme of archaeological works.

The Council's **Ecology Officer** states that there is a high botanical diversity across the site. The biodiversity Action Plan habitats on site are lowland heath; open mosaic on previously developed land, standing water, semi natural broad leaved woodland and hedgerows.

The habitat of Langley Fields is of high ecological value of district importance and significant for invertebrates, amphibians, reptiles and birds. Additionally, the undisturbed open mosaic areas on previously developed land are of county importance. Currently, there is no active habitat management and ecological value is likely to decline in time. The proposed removal of all vegetation would result in total loss of habitat and direct mortality of individuals is highly likely. Reptiles and birds are protected under the wildlife and Countryside Act 1987 (as amended) Badgers are protected under Protection for badger Act 1992 and PPS9.

A programme of off-site habitat creation restoration and enhancement is required to off set impacts of development. To include:

- Restoration of lowland heath
- Creation of invertebrate habitat
- Dingy skipper habitat
- Creation of new water bodies
- Restoration of two existing pools
- Capture and relocation of amphibians and reptiles
- Woodland planting
- Creation of hibernacula, refugia and log piles
- 30 bat boxes in rough park

On site compensation consists of:

- 4.29ha ecology park
- Biodiversity in school development
- Landscape design to include lowland heath
- South facing slopes and pools
- Bat boxes and bat bricks

- Dingy skipper habitat
- Link to town park

To appropriately mitigate and compensate for the impacts of the development and maintain conservation status, both on-site and off-site measures need to be implemented and recommend the following conditions;

- Creation of Ecology Park
- Production of biodiversity management plan
- Habitat creation of receptor sites
- Financial contributions for creation and management of ecology park and receptor sites.

The Council's **Geotechnical Engineers** raises no objections to the proposal subject to conditions and comments detailed below;

There are a number of mineshafts on the site and development will not be permitted over or in close proximity to these shafts, this is to be controlled by condition. If unrecorded mineshafts are encountered, the scheme design may need to be altered to account for this.

The site is currently a colliery spoil mound, which is to be regraded to provide a stable development platform. The submission demonstrates that the proposed slopes will be stable. Full detailed designs of slope stabilisation measure are required and it will be necessary to demonstrate that these slopes are suitable for proposed developments; these are to be controlled by conditions

The proposed development will involve significant earthworks to create, level, stable; development platforms for the proposed school and residential developments, full details are required and can be controlled with condition.

Sport England has raised no objection to the proposed development, as the sports facilities at the previous Malinslee primary school, were replaced during the relocation of the school. The proposed new school provides for adequate replacement pitches with regard to the existing Phoenix school details of which should be controlled with a planning condition.

The Council's **Highways Engineers** after consideration and amendment to plans to ensure that there is adequate land available for alterations to Portley Corner has no objection to the proposal subject to following conditions:

Highways Agency commented on 6th May and has directed the planning permission should not be granted at this time, as insufficient information has been provided in support to ensure that the M54 trunk road, continues to serve its purpose, as part of the national systems of routes for through traffic, by minimising disruption on the truck road resulting from traffic entering and emerging from the application site and in the interests of highway safety.

Extra information was submitted to the agency on 18th May, and additional comments received from the Highways Agency on 9th June, they concur with eh applicants that no further assessments are required at junction 4 and 6. However,

further capacity assessments must be undertaken at Junction 5. Future year assessments for standard 10 years post registration are required in accordance with National guidance. Furthermore, the interim travel plan needs extra information and to include a timetable for a full site-specific travel plan.

The Council's **Urban Designer** considers that the proposal is much improved following pre-application discussions and amendments, and the framework will assist in guiding the development in the future. The urban design principles set out in the Design and Access Statement need to be followed and complimented by a set of design guidance.

The school design and development process should provide the wider community with a new focus for activity. It is unfortunately that the direct link from Langley fold to the High Street is lost

The supermarket is a box with standard size to meet retailer's requirements. It is considered that further guidance should be developed with regard to the design of the building, in its context and how it relates to the extension of the High street. Such guidance would be expected to cover issues of activity, entrance location, style, design and materials, and is recommended that a design brief is produced before reserved matters are considered.

For the residential areas, the establishment and general definition of character areas is welcomed. The Design and Access statement gives an overall vision, there needs to be a further layer of guidance. Also recommend that a Building for Life Assessment of the scheme is undertaken, as it would be anticipated that it should score no less than 12 out of 20 points.

West Mercia Police have been in consultation with Council with regards to a Neighbourhood police office in Dawley. However, requirements have now changed and a network of drop-in centres across the borough is proposed. The inclusion of a police drop-in centre within the proposals would provide the benefits of a standard Police Office, as well as benefits provided by having an area available for accommodating PACT surgeries. Could such a facility be provided within this proposal, with full details to be considered at reserved matters stage?

Great Dawley Parish Council has concerns over the loss of footpath that runs from bottom of High Street to Langley Fold. If possible can a footpath be created across the school grounds? The new BMX track is close to one in Malinslee, is this required and natural woodland should be planted around school site to replace lost trees.

Cllr Andrew Williams fully supports the proposal as a good scheme to regenerate Dawley.

Cllr Helen Williams fully supporting the proposed regeneration of Dawley and inclusion of the new Phoenix school. The proposed sports and learning community would bring a vibrancy and life back into Dawley with new sports facilities and learning facilities not only open to the school children but the public also. The new learning and community centre would have designed out issues that have plagued the old school such as parking as the estates have grown around it. I believe this will

be a real asset to Dawley and the resident's alike encouraging young and old to use the facility and supporting the local economy hopefully with extra spending power bringing in more quality shops and facilities to the area. I do question the BMX track, we already have tracks in Malinslee and Aqueduct. We do not have a skate park or other facilities.

Comments are still outstanding from Shropshire Wildlife Trust, Severn Trent Water, Leisure and Landscape.

One letter of support has been received from the British Cycling Organisation on the grounds that the proposed BMX track will be of such a standard that it would be able to be used for national and regional competition. There is currently no such facility either within the borough or the West Midlands region, and this will be important for promoting this sport, and not be just a play facility for children.

Two letters of objection have been received local residents on grounds of:

- Issues of retention of rights of way to existing properties
- Proposal will spoil environment
- Loss of green spaces
- Impact on and loss of wildlife

PLANNING POLICY CONTEXT:

National Planning Policy

PPS 1 Delivering sustainable development and planning and climate change supplement

PPS3 Housing

PS4 Planning for prosperous economics

PPS9 Biodiversity and Geological Conservation

PPS10 Planning for sustainable waste management

PPG13 Transport

PPG14 Development on unstable land

PPG17 Open space, sport and regeneration

PPS23 Planning and pollution control

PPG24 Planning and Noise

PPS25 Flood Risk

LDF Core Strategy

CS1 Homes

CS2 Jobs

CS3 Telford

CS4 Telford Central

CS5 District and Local Centres in Telford

CS8 Regeneration

CS9 Social Inclusion

CS11 Open Space

CS12 Natural Environment

CS13 Environmental resources

CS15 Urban Design

'saved' policies Wrekin Local Plan

NR6 Waste Disposal and Recycling Facilities

EH7 Contaminated Land

EH8 Remedial action on Contaminated Land

EH14 Land stability

UD2 Design Criteria

UD4 Landscape Design

UD6 Major transport corridors and gateways into Telford

S18 Dawley primary retail zone

S19 Dawley secondary retail zone

T4 Development Principles

T22 Planning Obligations

OL3 Green Networks

OL4 Development in green network

OL5 Extensions and redevelopment in green network

OL6 open land

OI11 Woodland and trees

OL12 open land and landscape contributions from new development

OL13 Maintenance of open space

LR4 Outdoor recreational open space

LR6 Developers contributions to outdoor recreational open space with new residential development

H22 Community facilities

H23 Affordable Housing

KEY ISSUES AND PLANNING CONSIDERATIONS:

Principle of development and the Green network

The majority of the site is designated as green network, as defined in the Wrekin Local Plan. This is a system of interlinked green spaces which is afforded a strong level of protection from development. Saved policies OL3 to OL5 of the Wrekin Local Plan protect sites and links within the network from development, which is not predominantly open land, or does not deliver community or environmental benefits.

In addition to issues of the green network, the core strategy in policy CS5 states that District centres, of which Dawley is one, will be the focus of new development serving the needs of the community. New housing is to be located within or easily accessible to these centres.

The proposal is to be a mixed development with community, retail, housing and ecology and play uses. This site is located in a highly sustainable location with access to Dawley, Malinslee and Telford centre.

The site currently has informal open space and recreational uses, which this development seeks to formalise and manage. Whilst during redevelopment and construction work there will be a loss of Green network, the nature of the proposed development is largely consistent with the function of the green network, with the retention of 23.05ha of the site as open space in a variety of uses, sports pitches, Ecology Park, buffer planting etc. This is considered to represent betterment.

The rest of the development for the school building, retail and housing is of a community and economic benefit to regenerate Dawley district centre and Malinslee, and accords with the exceptions policy for development within the Green Network.

Ecology:

An EIA has been undertaken following earlier scoping exercise and included habitat and species surveys, on terrestrial habitats and vegetation, invertebrates, amphibians, reptiles, birds, badgers, bats and water voles.

The proposed impacts of the development include:

- Habitat loss
- Habitat damage/disturbance
- Severance/habitat fragmentation
- Direct mortality
- Pollution
- Effects of lighting and noise/disturbance

The assessment identified that development in Langley Fields will have major impact in terms of habitat loss, loss of diversity, and habitat fragmentation, there are also a number of moderate effects across the whole site. These are to be mitigated with both on site and off site compensation measures, to reduce the magnitude and significant of ecological impacts

Habitat loss associated with pre-construction and construction activities will inevitably result in loss of biodiversity on site. However, overall a positive impact is predicted within the local area due to net increase in these habitats in the medium to long term.

Off site habitat creation and restoration is to start in 2010, over 8 receptor site, with the necessary planning applications now submitted for consideration. These works should be 3 years in advance of stage 2 development, which covers the Langley Fields area, where the significant impacts are to occur.

Officers consider that an appropriate level of mitigation both on and off site is proposed for this development, which is to be controlled through conditions. In addition a financial contribution is required for the creation and management of the Ecology Park, and long term monitoring.

Landscape/play and open space:

The proposed development includes significant levels of cut and fills to create useable levels for development. In preparation for works all the trees on Paddock Mount and Portley corner have been removed, which has dramatically changed the visual appearance of the area.

There will be a temporary impact on the visual appearance during construction works. Long term, the mound at Portley corner is to be reduced in height by approx 11m the slopes will be replanted to ensure that the character of the area, if not the scale to remain as a focal point at this busy junction.

Paddock Mount is to be reduced in height by approx 5.5m, which the school and supermarket acting as visual focal point. In the Langley Field area, the ground level near Hinkshay Road is to be reduced by a maximum of 15m and the slope face moved north into the site, whilst to the north of this area the ground level is to be either raised or lowered by approx 5m, to create a more level area for housing development.

Within the Malinslee link, the existing mount to the north of the site, which is an important focal point to the remain largely without alteration to scale or height, but will be replanted, the remainder of the site will be regraded by lowering ground level by approx 5m or raising ground level by approx 4m, to create a sloping development site for housing, with a gradient form north to south, reducing in height by approx 20m over 260m.

Officers consider that whilst during the construction phases for the development, there will be a significant adverse impact to the visual appearance of the area, the long term benefits and gains, with new development zones, planting and focal buildings is sufficient to mitigate the short terms impacts.

Recreation and open space, the proposal will provide for 0.72 ha of soft informal and social space and 0.78ha of hard informal and social space in phase one, with 5.83ha of public open space including ecology park and NEAP in phase 2.

The local plan seeks 2.43ha per 1000 population of outdoor recreation open space and on sites of 200 new child bed space a neighbourhood equipped area of play.

The proposed 342 new dwellings would provide approx 838 people, which would require 2ha of recreational open space. The proposal by providing 5.83ha of public open space more than exceeds policy requirements.

Geotechnical Issues:

The site's former uses for coal extraction and landfill have left issues of land contamination. These activities have also modified the height and landform of the site, leaving disused mineshafts and some steep slopes, particularly around the perimeter of the site.

Soil testing has been undertaken to assess the contaminates. This testing also revealed that the ground could not provide a stable platform for development without some level of ground treatment.

Since significant levels of earth movement are required to treat the site, the proposal is also for a cut and fill exercise to largely create flatter and lower development platforms at Portley Corner and Paddock Mount. With an increase in height and levelling at Langley Fields, and a terracing of the Malinslee Link area, with the Mount remaining largely unaltered in terms of height and mass.

The contamination testing has shown high levels of metal contamination, and battery waster in part of Langley Fields area, which left untreated, could have significant long term health risk.

In order to mitigate and manage the issues raised above, the soils would need to be excavated, compacted and compliance tested, to ensure that a correct level of stability is achieved. Soils will also be tested for contaminants to ensure they are suitable for use on site, with any movement of soils to be carefully managed as set out in the Material management plan submitted within the Environmental Statement.

There is to be a physical separation and separate treating of different soil types, with testing to ensure there is no adverse impact on ground waters.

There are a number of mineshafts on the site, which are to be treated prior to any development works occurring. Following treatment the final design and layout of any development will need to ensure that there is no construction of access road or buildings directly above, or within the appropriate buffer zones for safety reasons.

The Council's Geotechnical Engineer and Environmental Engineers have considered the information submitted in the EIA statement and additional requested information and are satisfied the impacts of the development in terms of stability, mineshafts and contamination can be adequately mitigated, through the use of conditions to provide a safe and stable platform for future development. The proposed layout on the masterplan would ensure that there is adequate consideration given to the constraints of the site, i.e. mineshaft locations.

Officers therefore recommend conditions covering issues of land contamination, other unexpected contaminants, contamination prevention, mineshafts, slope stability and earthworks specifications.

Highways Implications:

The proposal as indicated on the masterplan includes the re-opening of a direct north south link along New Street, the creation of a new link across the site from New Street to Oxford Road to the north as a major route for the school and supermarket. There will be a number of smaller roads developed within the new housing development.

The proposed school, supermarket and other retail uses, along with the opening up of New Street, will have impacts on the existing junction at Portley corner. The proposal includes a scheme of improvements and realignment, to improve the design and safety of this important junction. The exact details are to be conditioned, but are likely to include removal of an existing pedestrian subway.

The improvements to the junction will be required prior to the first operation of either the school, supermarket or housing, to ensure that the junction improvements are fully implemented, before any part of the development, which will trigger more trip movements, is in use.

There are a number of existing formal and informal routes across the site, for pedestrians, cycles and horses. During construction work there will be minor adverse impact on users with limited access and closed accesses; this is to be mitigated through sign posting of alternative routes.

The proposal will include a number of footpaths, cycle ways and bridle ways, creating connections within the site and out to the wider area. There is one notable loss. The footway link from High Street to Langley fold, is to be retained, this route whilst well used is very steep and therefore unsuitable for wheel chair and pushchair access, a new route is proposed around the athletics track and linking to the existing footpath to the rear of properties in New Street.

The new school is proposed to occupy the site that this footway currently crosses, and whilst the building will have a wider community usage, it is intended that access will be restricted at times for pupil safety and therefore a footpath kink in this area, would not be compatible with this use, and the alternative route sought.

The Highways agency have placed a holding direction on the proposal as insufficient information has been submitted to ensure that the proposal will not adversely impact on the M54 trunk road. Additional information has been submitted which confirms that the proposal will not adversely impact on junctions 4 and 6 of the M54, however, further capacity assessment for the next ten years needs to be submitted for consideration, along with an updated interim travel plan, before the holding direction can be lifted.

Officers are satisfied that the site can be adequately accessed and existing routes are to be largely retained and improved and new routes created to increase permeability of the site, from the surrounding area. Impacts of the new development on the immediate existing network can be mitigated through conditions and monies for junction improvements. Any impacts during the construction phase will be of minor significance and can be mitigated, with long term gains as a result of the proposal.

Issues relating to the impacts on the wider trunk road network, in particular Junction 5 of the M54 are still outstanding, with additional information to be submitted to and considered by the Highways Agency. Subject to the holding direction being lifted and any potential conditions suggested imposed. Officers consider that these issues can be resolved in due course.

Retail impacts on Dawley centre:

The retail element of the proposal is to be assessed against guidance in PPS4, Core Strategy policy CS5 and policies S18 and S19 in the Wrekin Local Plan. The siting of the retail uses is considered to be edge of centre in terms of PPS4 as it is not within the primary retail zone, but partly located within the secondary retail zone as defined in the Local Plan.

Telford is the principal shopping destination and principal location for new retail and leisure development, although investment should be channelled to other towns within the administrative area. The retail assessment identified that Dawley is largely used for top-up shopping. However the retail assessment concludes that there is sufficient growth potential arising from available expenditure capacity on the one hand, coupled with a need for improvements in Dawley to prevent further decline on the other, to justify this proposal.

The lack of facilities within the centre results in many shoppers using supermarkets beyond this District Centre in Telford and surrounding area to undertake main food shopping, which results in extra road trips. Members will appreciate that there are a number of specific niche retailers in Dawley that helps attract customers from further afield. The Co-op in Dawley is the main convenience store for the centre and has been identified in the Council's Retail Study as overtrading.

A sequential test is required to be undertaken for new retail floor space in excess of 200 sq.m. in an edge of centre location. Such tests consider the availability and practicality of sites coming forward firstly within the centre, followed by sites at edge of centre locations and then at out of town locations. This test has identified that there are no site specific allocations for retail development within the Core Strategy or Local Plan. In addition, there are currently no vacant units above 200sq.m. within the primary or secondary retail zones, and there are no vacant units that are capable of alteration to a large unit.

Further, it is considered that there are no other sites which are not allocated for redevelopment which are better connected (to the Town Centre) than the application site. There are a number of car parks that could potentially be developed for retail purposes but these are currently well used and are required to ensure adequate level of parking provision consistent with the status of Dawley Town Centre.

The Council is currently undertaking a programme of town centre improvements, and car park improvements, with this ongoing investment a positive endorsement to the vitality and viability of Dawley.

As there is no current known occupier for the store, the estimates of net floorspace and split between comparison and convenience goods has been based on average figures, used widely within the industry.

A significant proportion of expenditure on comparison goods by residents in the area is present in shopping centres beyond Dawley. Therefore the turnover from comparison goods of the proposed store would come from competition with larger businesses and centres beyond Dawley, and is not expected to overlap with or affect existing retailers within Dawley. It is anticipated that the foodstore would serve to strengthen the retail offer and create linked trips to other existing shops within Dawley.

The scale of the development proposed is significantly smaller than the large-scale format foodstores found elsewhere in the higher order centres. It is therefore considered that the proposal is of an appropriate scale consistent with the 'district centre' status of Dawley and will not impact on the defined hierarchy of centres.

The retail assessment has considered the cumulative effect of the proposed ASDA development in Telford town centre and has concluded that there would be no detrimental impact on existing or proposed stores.

The proposed development will contribute to social inclusion and will improve choice. The store will generate employment opportunities, and reduce requirements for travel further afield for regular shopping requirements.

Your officers are satisfied that the evidence provided by the applicant and supported by the Councils' retail study, suggest that the proposal will not harm the vitality and viability of Dawley district centre in terms of retail impact. The proposal would function as part of the town centre and provide for linked trips and serve the needs of the local community and thus encourages social inclusion.

In this context the site is in close proximity to bus, pedestrian and cycle routes, and close to residential areas and would offer qualitative improvements to those living close by. Moreover, it would help deliver on of the Councils key objectives to regenerate Borough towns, of which Dawley is one.

Having regard to the above assessment, your officers conclude that the retail element of the proposal accords with national and local planning policy in relation to retail planning considerations.

Design Principles:

As the application is outline, with no matters submitted for consideration, only the issue of the principles of design can be considered at this stage. There are 4 main facets to the proposal, housing, retail, school and open space. The design and access statement sets out the design principles for each element as discussed below.

Housing: The master plan submitted with the application demonstrates that the site can adequately accommodate 342 dwellings. There is a mix of development proposed, ranging from 2 to 5 bedrooomed dwellings, however the inclusion of flats and bungalows within the development, would be beneficial at the reserved matters stage in meeting the demands of the local area.

The dwellings are grouped in 4 character areas:

Dawley Green: it is anticipated that the layout would reflect the character of the adjacent area in Oxford Road, with set back frontages, addressing the public areas, and on plot parking. A central green area would provide a focal point and have amenity and functional benefit. The location of a sewer and mine shafts will act as constraints on any future proposed layout.

Dawley Lanes: the adjacent character is a Radburn style layout. It is anticipated that this scheme would continue this form in terms of pedestrian access and linking open spaces, whilst creating enclosed perimeter blocks to ensure problem issues traditionally associated with the Radburn effect can be overcome.

Hinkshay Edge: the area is a country lane with loose knit linear development. The new development would respect this character with deep frontages and substantial detached properties, with hedgerows and other planting.

Malinslee Mount: due to ground level constraints it is anticipated that the development will be short terraced streets, with short front gardens, home zones and mixed on plot and parking bay parking provision.

School: The school is to play an important role in regeneration of Dawley. Combined with the teaching functions, other public uses are to include children's centre, police office, health and leisure facilities. The main school building is to occupy the site of the former council offices on Paddock Mount and will have a strong visible presence. The position and alignment of the entrance will face the public square, which is an extension of the High Street and create a focal building.

The associated sports fields and pitches will occupy the majority of the Portley Corner and Paddock Mount areas. The earth works will create level pitches potentially separated by spectator terraces, as a result of the ground level changes over the site. The sports facilities will be surrounded by a landscaping buffer to respect the original context of the site from wider views as an area of open space.

There are identified mineshafts in the vicinity of the school building, and the necessary stand-offs following treatment will dictate the precise location of the buildings and will be considered at the reserved matters stage.

Retail: The proposed retail development includes the retention of the Lord Hill Public House, creation of 3 smaller units and a supermarket. It is anticipated that the development will be predominantly one or two stories, with a public square to create a link to the new school and existing high street. Issues of accesses and location of car park will need careful additional consideration at reserved matters stage.

Open space, the nature park at the heart of the development is to provide a functional habitat for species and recreational space. It will also include a formal children's play area.

Accordingly, it is considered that sufficient attention has been given to the development proposal from a design perspective and a design principles document will be secured via condition.

Drainage and Flooding:

The nearest water course is the River Severn located 4.5km to the south of the site. The site is not at risk from flooding from water courses and there are no records of flooding at the site from surface water ground water or from local sewerage system.

Given the legacy of industrial and mining activities the water quality of the groundwater on site is likely to be poor. In accordance with PPS25 Planning and Flood Risk, the site is located with the lowest flood risk zone. A flood risk assessment has been undertaken which confirms the would not be adversely affected by flooding or lead to increased flooding elsewhere.

The remediation and construction works will expose soils, which in the short term could be washed into water bodies and the machinery on site cause pollution to surface or groundwater. Over the long term the works to the site to manage contaminated soils is expected to improve local water quality.

The development of the land to include paved area would increase the amount and rate of surface water that runs off the site. This is to be mitigated by a drainage

strategy to capture water for release at natural rates, this is to be managed by ponds swales and permeable paving materials as suitable.

Dust, Air Quality and Noise:

The air quality of the Borough is within national air quality standards. There are no significant sources of air pollution near the site and the road network does not experience significant traffic congestion.

The excavation of soils on site is likely to generate dust. The amount of dust generated will be dependant on weather conditions and the affected area can extend to 200m. Given that residential properties are located within 50m of sites of excavation, a scheme of management is required to mitigate and manage the issue. This will involve measures of sprinklers and hoses road and haul route cleaning, and wheel washing. Monitoring is to occur before and during construction.

Background noise levels have been measured and are typical of residential areas. The site remediation works will require the excavation and capping of mineshafts and excavation and compaction of soils. Without mitigation it is likely that noise levels would significantly breach acceptable levels of significant periods of time. The proposed mitigation is that works will be undertaken following best practicable means, i.e. silencing of machines and noise screening, with stringent noise targets. A key part of this will be the setting of hours of operation. There will need to be a balance between giving residents reasonable periods of quiet, whilst keeping the overall period for works to a minimum. This is to be controlled through planning conditions.

Heritage and Archaeological issues:

The Lord Hill Public House is within the site area. This is a local interest building and the master plan includes retention of this building. The siting of the building at the end of High Street, and plays an important role in retaining the traditional character and appearance of Dawley. Officers consider that the retention of the building is in accordance with local policies.

The building has a number of modern extensions, which are to be demolished. In the short term the building will be used as a site office for works as part of this application and other works within Dawley. The long term use is anticipated to be an A4 use at ground floor and separate residential use at first floor; this is subject of a separate planning application.

Shropshire County Council's Archaeological Officer notes that there could be archaeological remains relating to past medieval industrial activity which may survive on the site. In mitigation recommends a condition requiring a programme of archaeological works. Officers recommend that this condition is imposed.

Other issues:

This application is large scale and is intended for completion in two phases, phase one is to start in 2010; however works on phase 2 would not be expected to start until after 2013, to allow for off-site ecological mitigation sites to be well established and to allow for economic uncertainty. An extension of timescale for 10 years would ensure that all reserved matters could be submitted without the outline expiring.

Officers consider that this length of timescale is acceptable for the scale of development and therefore recommend a 10 year timescale.

Planning obligations:

The Council as land owner can not enter into Section 106 agreement with itself with regard to the planning obligations created by this development. Therefore a memorandum of intention from Head of Property and Design, setting out the financial and legal agreements is appropriate to cover this. Below are the details for each phase and contributions required, which have been subject to consultation and negotiation with relevant parties.

Phase 1:

- Highways contributions of £500,000 for detailed design and signalisation of Portley corner junction.
- Environmental contributions for works and maintenance of receptor sites, for the undertaking of off-site ecological mitigation, and a maintenance sum for all the open space in phase 1.
- Public art contributions of £50,000 for a miner's memorial, which is to be located in the new public square, adjacent to supermarket development.
- £5,000 for the monitoring of S106 and conditions on this phase.

Phase 2:

- Leisure contributions of £172,000 for a new NEAP to cover installation and maintenance costs
- Environmental contributions for the maintenance of the nature park and open space in phase 2, and balancing pond.
- Education contributions of £502,984 for future primary school provision
- £10,000 for the monitoring of the Section 106 and conditions on this phase
- 20% affordable housing with a review at sale and/or submission of reserved matters to assess the economic climate to assess acceptable level of contribution up to 38%. Mix of development tenure and size to be agreed on each reserved matter.

Conclusions:

The application has been subject of an Environmental statement under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. The impacts on ecology, drainage, landscape, open space, land stability, land contamination, air quality, dust and noise, transport, heritage and archaeology have been fully assessed by the Local Planning Authority and the conclusions reached that any outstanding environmental effects can be satisfactorily mitigated with the use of planning conditions.

The majority of the site is located with the Green Network, and whilst the development site is 35.3ha, 23.05 ha, i.e. the majority of the site is to be retained as open space, with a variety of uses, landscaping, Ecology Park, play areas, which fully accord with the function and purpose of the Green Network. The remainder of the development is a mix of school and community buildings, retail and housing, the overall benefits of these elements for the regeneration of Dawley district centre and surrounding area are considered to accord with the exceptions policy for development in the green network.

Issues of ground conditions will require substantial earth movement's, treatment and compacting, and will have significant short term environmental impacts, dust, noise and land contamination etc. These issues can be adequately mitigated through conditions based on the information submitted with the environmental statement.

In terms of ecology, the proposal results in the total loss of habitat, during each phase, and will require a mix of on-site and off site mitigation, which is to be controlled through conditions and financial contributions for management and monitoring.

Highways implications of the development and impact on the immediate network can adequately be addressed through conditions and financial contributions for junction improvements. With regard to further afield issues and M54, additional information is being prepared and submitted to address Highways Agency issues, and it is considered that conditions and as necessary financial contributions should be able to adequately address the impact.

The application is for outline consent and all matters reserved for later consideration. However a degree of design detail and principles have been set out in the supporting information to ensure that the development can respond positively the context of the site and indicates that detailed submissions at reserved matters stage can be adequately designed.

Finally, the proposal will create demand for additional off-site and on-site requirements, i.e. play spaces, primary education facilities etc, which can be adequately achieved through planning obligations contributions.

RECOMMENDATION: provided the Highways Agency has withdrawn its holding Direction and subject the Council as landowner agreeing that the land will be bound by the obligations in respect of the provision of 20% affordable housing, and a sum of monies for leisure, environmental improvements and education, the Head of Planning and Environment is authorised to GRANT PLANNING PERMISSION and subject to the following conditions:

1. A08 – Outline 10 years
2. A02 – Submission of reserved matters
3. B01 – Standard outline all matters reserved
4. B25 – Shallow Mining
5. B29 – Site Environmental Management Plan
6. B31 – Land contamination
7. B33 – Foul and Surface water
8. B42 – Other unexpected contaminates
9. B54 – Programme of Archaeological works
10. BNS – Surface water drainage scheme
11. BNS – Scheme for contamination prevention
12. BNS – No filtration of surface water drainage
13. BNS – Foundation design
14. BNS – Oil separator
15. BNS – Dust Management Plan
16. BNS – Lighting Management Plan
17. BNS - Details of drainage pools and swales

18. BNS – Replacement Planting
19. BNS – Creation of ecology park
20. BNS – Production of biodiversity management plan
21. BNS – Habitat creation of receptor sites
22. BNS – development to accord with master plan
23. BNS – Highways construction details
24. BNS – Ground investigation mineshafts
25. BNS – slope stability investigation
26. BNS – slope stability design details
27. BNS – Earthworks specification
28. C38 – development in accordance with deposited plans
29. CNS - Improvements to Portley corner
30. CNS – reconstruction of footpath
31. CNS – Safeguarding area for highways improvements
32. CNS – Travel Plans
33. CNS – Hours of operation for construction
34. CNS – Details of sports pitches at reserved matters stage
35. CNS – Design principle documents for retail and residential elements

Informatives:

1. I16 – Mining Area
2. I19 – Land Contamination
3. I20 – Sustainable Urban Drainage
4. I24 - Protected Species
5. I25 – Fire Authority
6. INS – Drainage
7. INS – Definition of commencement of development
8. I30 – Conditions
9. I34 – Reasons for granting outline consent

REASON FOR APPROVAL:

The application has been subject of an Environmental Statement under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. The impacts have been fully assessed by the Local Planning Authority and the conclusions reached that any outstanding environmental effects can be satisfactorily mitigated with the use of planning conditions.

The proposed mixed use development, will aid the regeneration of Dawley. The retail element has been assessed in accordance with national and local guidance and policies. The size and siting of the store will complement existing facilities and reinforce the vitality and viability of shopping area. The new school pulls together a number of teaching and community elements to create a focus for local residents. A significant area of the site will be retained as open space, with a mix of uses and functions. The traffic movements generated by the development can be accommodated following works to Portley corner without detriment to highway safety. Issues of ground conditions ecology, flooding, drainage, noise, water and air quality, heritage issues, recreation and open space have been fully assessed and it is considered that any impacts can be adequately mitigated through the imposition of suitable conditions. The additional demands on services created by the new dwellings can be met by financial contributions to existing local facilities.

TWC/2010/0037 Dawley Regeneration, Dawley, Telford, Shropshire
Full planning application for infrastructure and drainage works for Dawley and Malinslee Regeneration Phase 1 Land of 14.93 hectares. Works comprising earthworks, drainage, a spine road of approximately 0.55km and detailed planting schedule. (This application is submitted further to TWC/2010/0036 an outline application for the Dawley and Malinslee Regeneration site of 35.3 hectares)

APPLICANT

James Dunn

RECEIVED

09/04/2010

PARISH

Great Dawley

WARD

Dawley Magna, Malinslee

CASE OFFICER

Emma Green

MAIN ISSUES: Earthworks and geotechnical issues, dust, air quality and noise, highways implications, ecology implications and impact on neighbours.

PROPOSAL:

This is a full planning application for earthworks, drainage and infrastructure. These are enabling works for the proposal in the outline application also for consideration at this Plans Board.

The earthworks comprise of excavation of the spoil mounds and re-compacting to form a safe and stable development platform to facilitate future development. The works include a cut and fill balance to minimise to requirement to dispose of materials off-site to landfill.

The Portley Corner mount is to be reduced in height by approx 11m. The Paddock Mount area is to be reduced in height by between 5.5 to 6m in height. The dip to the rear of the Lord Hill Public House is to be raised by approx 2m, and this will create a level development platform adjacent to Dawley High Street, with a gentle slope of 2m over approx 80m.

The area of land between Oxford Road and Langley fold to the east of Phase 1 currently has a natural dip, and a slope from north to south. This is to have an infill of between 5 and 11m. This will result in a shallow slope rising from north with a development plateau and then a steeper slope with a level change of 13m over a length of 50m.

The proposal includes the creation of the 0.55km spine road which will be the principal route through the development and connecting High Street and New Street with Oxford Road. This road will also be used for access during engineering works.

There are detailed drainage proposals for the new spine road and details of drainage during the earthworks phase of development.

Finally the proposal includes a detailed planting schedule and habitat creation to be delivered following completion of the earthworks engineering.

The application is subject to an Environmental Impact assessment and is accompanied by supporting information as follows:

- Planning supporting statement

- Earthworks specification 600 report
- Slope stability report
- Tree survey
- Environmental Action Plan
- Environmental Statement including technical appendices and Non-technical Summary

In response to issues raised during the consultation period, further information was requested by the Council under Regulation 19 of the Town and Country Planning (England and Wales) Environmental Impact Assessment regulations and on 18th May 2010, the following 'environmental' information was submitted to the council:

- Geo-Environmental issues and material management plan Addendum one
- Geo-environmental interpretive report

SITE DESCRIPTION:

The site area is phase 1 of the wider outline application for Dawley Regeneration also for consideration at this Plans Board. This site is approx 15 ha of predominantly Brownfield land located between Portley Corner to the south Lancaster Avenue to the north, Dawley High Street to the west and Langley Fields to the east.

The site is predominantly surrounded by low density residential development, which is largely two storey developments, with some occasional 3 or 4 storey flatted developments. Part of the site adjacent to the High Street is located within Dawley district centre. The rest of the site is designated as green network in the Local Plan.

There are several rights of way through the site, including a north south path off Oxford Road, east/west route from High Street to Hinkshay road and Crown Street, and a number of informal pathways. In addition there is a bus route and station adjacent to High Street.

The site consists of two distinct areas, Paddock Mount and Portley Corner. Paddock Mount is a steeply sloping site on its northern, eastern and southern boundaries, with relatively level connection to Dawley High Street to the west. The ground level is approx 15m above properties to the north. Portley Corner is elevated from its surroundings, the shape and height creates a sense of detachment. The top of the mount is approx 20m above Portley corner junction of Finger Road and Springhall Road.

Portley Corner and Paddock Mount were densely covered with trees, but these have all been removed under a woodland licence prior to submission of this planning application.

PUBLICITY AND CONSULTATION:

The application has been advertised in the local press and on site (10 notices) as an application is subject of an Environmental Impact Assessment (EIA) and of major significance. In addition 243 immediate neighbours have been notified of the planning application.

CONSULTATION RESPONSES:

Natural England has no objection to the proposal as the details of the application adequately cover the issues of mitigation of biodiversity features on site. These mitigation plans need to be made binding to the application through appropriate conditions.

The Council's **Drainage Engineer** supports the proposal subject to standard drainage conditions and informatives.

The **Highways Agency** has no objection to the development as the site is in excess of 1 km from the M54 and is unlikely that the proposed infrastructure will have a material impact upon the trunk road network in operational terms.

The Council's **Arboricultural Officer** has no objection to the proposal, as most of the trees of the site have been removed by license, replacement planting to be secure with conditions.

The Council's **Environmental Health Officer** considers that the issues of ground gas, spontaneous combustion, material management plan, land contamination, dust mitigation and floodlighting. The information submitted is sufficient to consider the environmental impacts of these elements and no objections subject to conditions relating to; land contamination and dust management plans, and informative relating to need for permits.

The Council's **Geotechnical Engineers** raises no objections to the proposal subject to conditions and comments detailed below;

There are a number of mineshafts on the site and development will not be permitted over or in close proximity to these shafts, this is to be controlled by condition. If unrecorded mineshafts are encountered, the scheme design may need to be altered to account for this.

The site is currently a colliery spoil mound, which is to be regraded to provide a stable development platform. The submission demonstrates that the proposed slopes will be stable. Full detailed designs of slope stabilisation measure are required and it will be necessary to demonstrate that these slopes are suitable for proposed developments; these are to be controlled by conditions

The proposed development will involve significant earthworks to create, level, stable; development platforms for the proposed school and residential developments, full details are required and can be controlled with condition.

Environment Agency has no objections subject to conditions and Comments; Drainage and flood risk, proposal includes an acceptable drainage strategy with the use of SUDs and tank system to address flood risk. Temporary drainage solution required for the re-profiling works, further detailed design to be secured through conditions. Groundwater management, the site's previous uses as colliery and landfill waste has impact on water contamination and whilst ground investigation has tested site, further testing required in some locations, particularly in Phase 1. Materials from landfill A in phase 1 will need remediation and this is to be controlled

via conditions. Japanese knotweed on site to be treated and further testing required post removal to ensure no unexpected contaminants.

Recommended conditions

7. Surface water drainage schemes
8. Contamination assessment
9. Other contaminants
10. No filtration of surface water drainage
11. No piling or other penetrative foundation designs
12. Use of oil separator for water course surface water sewer or soak away

Shropshire County Council's **Archaeological Officer** notes that there could be archaeological remains relating to past medieval industrial activity which may survive on the site. In mitigation recommend a condition requiring a programme of archaeological works.

The Council's **Ecology Officer** states that there is a high botanical diversity across the site. The biodiversity Action Plan habitats on site are lowland heath; open mosaic on previously developed land, standing water, semi natural broad leaved woodland and hedgerows.

The habitat of Langley Fields is of high ecological value of district importance and significant for invertebrates, amphibians, reptiles and birds. Additionally, the undisturbed open mosaic areas on previously developed land are of county importance. Currently, there is no active habitat management and ecological value is likely to decline in time. The proposed removal of all vegetation would result in total loss of habitat and direct mortality of individuals is highly likely. Reptiles and birds are protected under the wildlife and Countryside Act 1987 (as amended) Badgers are protected under Protection for badger Act 1992 and PPS9.

A programme of off-site habitat creation restoration and enhancement is required to off set impacts of development. To include:

- Restoration of lowland heath
- Creation of invertebrate habitat
- Dingy skipper habitat
- Creation of new water bodies
- Restoration of two existing pools
- Capture and relocation of amphibians and reptiles
- Woodland planting
- Creation of hibernacula, refugia and log piles
- 30 bat boxes in rough park

On site compensation consists of:

- 4.29ha ecology park
- Biodiversity in school development
- Landscape design to include lowland heath
- South facing slopes and pools
- Bat boxes and bat bricks
- Dingy skipper habitat

- Link to town park

To appropriately mitigate and compensate for the impacts of the development and maintain conservation status, both on-site and off-site measures need to be implemented and recommend the following conditions;

Creation of Ecology Park

Production of biodiversity management plan

Habitat creation of receptor sites

Along with financial contributions for creation and management of ecology park and receptor sites.

Great Dawley Parish Council has concerns regarding drainage and recommends that waste movements as part of earthworks are conducted in late autumn to early spring to prevent infestations.

Comments are outstanding from Shropshire Wildlife trust and Landscaping.

No comments have been received from neighbours.

PLANNING POLICY CONTEXT:

National Planning Policy

PPS 1 Delivering sustainable development and planning and climate change supplement

PPS9 Biodiversity and Geological Conservation

PPS10 Planning for sustainable waste management

PPG13 Transport

PPG14 Development on unstable land

PPS23 Planning and pollution control

PPG24 Planning and Noise

PPS25 Flood Risk

LDF Core Strategy

CS5 District and Local Centres in Telford

CS8 Regeneration

CS9 Social Inclusion

CS12 Natural Environment

CS13 Environmental resources

'saved' policies Wrekin Local Plan

NR6 Waste Disposal and Recycling Facilities

EH7 Contaminated Land

EH8 Remedial action on Contaminated Land

EH14 Land stability

UD4 Landscape Design

UD6 Major transport corridors and gateways into Telford

S18 Dawley primary retail zone

S19 Dawley secondary retail zone

T4 Development Principles

T22 Planning Obligations

OL3 Green Networks

OL4 Development in green network
OL5 Extensions and redevelopment in green network
OL6 open land
OL11 Woodland and trees

KEY ISSUES AND PLANNING CONSIDERATIONS:

Principle of development

This application is for full planning permission for earthworks, highways and landscaping. There is a link to the outline planning permission for wider regeneration works. Due to the nature of previous land uses of the site, before any development can occur, works are required to prepare the site. This land reclamation includes, treatment of mineshafts, treatment of contaminated land and compaction to create suitably stable ground for future development.

This is a stand alone application, which needs to be robust and cover all issues, as these works would be necessary in the event of any proposal to regenerate Dawley and Malinslee. For the purposes of assessment against local plan policies, officers consider that whilst the site is largely designated as green network, the long term benefit of these works in creating land which is ready for development purposes, are an exception on the basis of the environmental and community benefits associated therewith.

Geotechnical Issues:

The site's former uses for coal extraction and landfill have left issues of land contamination. These activities have also modified the height and landform of the site, leaving disused mineshafts and some steep slopes, particularly around the perimeter of the site.

Soil testing has been undertaken to assess the contaminates. This testing also revealed that the ground could not provide a stable platform for development without some level of ground treatment.

Since significant levels of earth movement are required to treat the site, the proposals also includes a cut and fill exercise, to largely create flatter and lower development platforms at Portley Corner and Paddock Mount.

The contamination testing has shown high levels of metal contamination, and battery waste in part of Langley Fields area, which if left untreated, could pose significant long term health risks.

In order to mitigate and manage the issues raised above, the soils would need to be excavated, compacted and compliance tested, to ensure that a correct level of stability is achieved. Soils will also be tested for contaminates to ensure they are suitable for use on site, with any movement of soils to be carefully managed as set out in the material management plan submitted within the Environmental Statement.

There is to be a physical separation and separate treating of different soil types, with testing to ensure there is no adverse impact on ground waters.

There are a number of mineshafts on the site, which are to be treated prior to any development works occurring. Following treatment the final design and layout of any development will need to ensure that there is no construction of access road or buildings directly above, or within the appropriate buffer zones for safety reasons.

The Council's Geotechnical Engineer and Environmental Engineers have considered the information submitted in the EIA statement and, together with the additional requested information, is considered sufficient to assess the issues. Consequently, it is felt that the impacts of the development in terms of stability, mineshafts and contamination can be adequately mitigated, through the use of conditions to provide a safe and stable platform for future development. The proposed layout on the masterplan would ensure that there is adequate consideration given to the constraints of the site, i.e. mineshaft locations.

Officers therefore recommend conditions covering issues of land contamination, other unexpected contaminants, contamination prevention, mineshafts, slope stability and earthworks specifications.

Ecology:

An EIA has been undertaken following earlier scoping exercise and included habitat and species surveys, on terrestrial habitats and vegetation, invertebrates, amphibians, reptiles, birds, badgers, bats and water voles.

The proposed impacts of the development include:

- Habitat loss
- Habitat damage/disturbance
- Severance/habitat fragmentation
- Direct mortality
- Pollution
- Effects of lighting and noise/disturbance

Habitat loss associated with pre-construction and construction activities will inevitably result in loss of biodiversity on site. The landscaping proposals include ecological habitats for on-site mitigation of these impacts. Off site habitat creation and restoration is to start in 2010, over 8 receptor site, with the necessary planning applications now submitted for consideration.

Officers consider that an appropriate level of mitigation both on and off site is proposed for this development, which is to be controlled through conditions. In addition a financial contribution is required for long term management and monitoring of both the on and off site ecological habitats.

Highways Implications:

The proposal includes the construction of a 0.55km spine road, which links the junction of High Street and New Street, with Oxford Road. This road will also have a dual purpose of serving as the main access route for the duration of the remedial and construction works.

There are a number of existing formal and informal routes across the site, for pedestrians, cycles and horses. During construction work there will be minor

adverse impact on users with limited access and closed accesses; this is to be mitigated through sign posting of alternative routes. In the long term new routes across the site are proposed as part of the outline planning permission.

The Highways Agency has no objection to this development as the site is in excess of 1 km from the M54 and is unlikely that the proposed infrastructure element will have a material impact upon the trunk road network in operational terms.

Officers are satisfied that the site can be adequately accessed and the new route will increase permeability of the site, and be used for access during the reclamation and construction phases. Any impacts during the construction phase will be of minor significance and can be mitigated, with long term gains as a result of the regeneration of the area.

Drainage and Flooding:

The nearest water course is the River Severn located 4.5km to the south of the site. The site is not at risk from flooding from water courses and there are no records of flooding at the site from surface water ground water or from local sewerage system.

Given the legacy of industrial and mining activities the water quality of the groundwater on site is likely to be poor. In accordance with PPS25 Planning and Flood Risk, the site is located with the lowest flood risk zone. A flood risk assessment has been undertaken which confirms the site would not be adversely affected by flooding or lead to increased flooding elsewhere.

The remediation and construction works will expose soils, which in the short term could be washed into water bodies and the machinery on site cause pollution to surface or groundwater. Over the long term the works to the site to manage contaminated soils is expected to improve local water quality.

Dust, Air quality and Noise:

The air quality of the Borough is within national air quality standards. There are no significant sources of air pollution near the site and the road network does not experience significant traffic congestion.

The excavation of soils on site is likely to generate dust. The amount of dust generated will be dependant on weather conditions and the affected area can extend to 200m. Given that residential properties are located within 50m of sites of excavation, a scheme of management is required to mitigate and manage the issue. This will involve measures of sprinklers and hoses road and haul route cleaning, and wheel washing. Monitoring is to occur before and during.

Background noise levels have been measured and are typical of residential areas. The site remediation works will require the excavation and capping of mineshafts and excavation and compaction of soils. Without mitigation it is likely that noise levels would significantly breach acceptable levels of significant periods of time. The proposed mitigation is that works will be undertaken following best practicable means, i.e. silencing of machines and noise screening, with stringent noise targets. A key part of this will be the setting of hours of operation. There will need to be a balance between giving residents reasonable periods of quiet whilst keeping the

overall period for works to a minimum. This is to be controlled through planning conditions.

Archaeological issues:

Shropshire County Council's Archaeological Officer notes that there could be archaeological remains relating to past medieval industrial activity which may survive on the site. In mitigation recommends a condition requiring a programme of archaeological works. Officers recommend that this condition is imposed.

Conclusions:

The application has been subject of an Environmental statement under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. The impacts on ecology, drainage, landscape, open space, land stability, land contamination, air quality, dust and noise, transport, heritage and archaeology have been fully assessed by the Local Planning Authority and the conclusions reached that any outstanding environmental effects can be satisfactorily mitigated with the use of planning conditions.

Issues of ground conditions will require substantial earth movement's, treatment and compacting, and will have significant short term environmental impacts, dust, noise and land contamination etc. These issues can be adequately mitigated through conditions based on the information submitted with the environmental

In terms of ecology, the proposal results in the total loss of habitat, and will require a mix of on-site and off site mitigation, which is to be controlled through conditions and financial contributions for management and monitoring.

Highways implications of the development and impact on the immediate network can adequately be addressed through conditions and financial contributions for junction improvements. It is considered that conditions and as necessary financial contributions should be able to adequately address the impact.

RECOMMENDATION: GRANT FULL PLANNING PERMISSION subject to the following conditions.

- 36. A03 – Time Limit 3 years
- 37. B29 – Site Environmental Management Plan
- 38. B31 – Land contamination
- 39. B33 – Foul and Surface water
- 40. B42 – Other unexpected contaminates
- 41. B54 – Programme of Archaeological works
- 42. BNS – Surface water drainage scheme
- 43. BNS – Scheme for contamination prevention
- 44. BNS – No filtration of surface water drainage
- 45. BNS – Dust Management Plan
- 46. BNS – Replacement Planting
- 47. BNS – Highways construction details
- 48. BNS – Ground investigation mineshafts
- 49. BNS – Slope stability investigation
- 50. BNS – Slope stability design details
- 51. BNS – Earthworks specification

- 52. C38 – Development in accordance with deposited plans
- 53. C16 – Landscaping implementation
- 54. CNS – Landscaping and Ecology Management Plan
- 55. CNS – Hours of operation for construction
- 56. CNS – Details of sports pitches at reserved matters stage

Informatives:

- 10. I16 – Mining Area
- 11. I19 – Land Contamination
- 12. I20 – Sustainable Urban Drainage
- 13. I24 - Protected Species
- 14. INS – Drainage
- 15. INS – Definition of commencement of development
- 16. I30 – Conditions
- 17. I31 – Reasons for granting planning permission

REASON FOR APPROVAL:

The application has been subject of an Environmental Statement under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. The impacts have been fully assessed by the Local Planning Authority and the conclusions reached that any outstanding environmental effects can be satisfactorily mitigated with the use of planning conditions.

These earthworks are fundamental to the creation of stable and safe ground conditions for any future development on the site to regenerate the Dawley and Malinslee area. The scale of earthworks will result in short term disruption for nearby residents in terms of dust and noise; however these can be mitigated through the use of conditions.

TWC/2010/0056 Greenhurst, 14 St Lukes Road, Doseley, Telford, Shropshire, TF4 3BD
Application to replace extant planning permission W2007/1277 for the erection of 3no.
detached dwellings (outline planning application)

APPLICANT

Mr Roy Field

RECEIVED

08/04/2010

PARISH

Dawley Hamlets

WARD

Horsehay and Lightmoor

CASE OFFICER

Anna Robinson

COUNCILLOR MOLLETT HAS REQUESTED THAT THE APPLICATION IS
CONSIDERED BY MEMBERS AT PLANS BOARD

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Extant planning permission, Access, Character, Trees, Impact on
Residential Amenities

THE PROPOSAL: The application seeks outline planning permission for the erection
of 3no. detached dwellings within the existing garden land of Greenhurst.

This is a resubmission of W2007/1277 which is an extant outline planning
permission, with all matters except access reserved for a further application, and
approval of the current application would enable the time limit for implementation of
the scheme to be extended beyond November 2010. The current application is a
replacement of the extant permission, and includes an indicative layout of the
dwellings and garages and the position of a central vehicular access from St Lukes
Road to serve the new development and existing property, Greenhurst.

THE SITE AND SURROUNDINGS:

The application site is currently the side garden area to the existing property,
Greenhurst on St Lukes Road, Doseley, and is bounded by a traditional brick
boundary wall and mature hedge/trees. The site is slightly elevated from the
highway. A number of trees within the site are protected by Tree Preservation
Orders. The area is characterised by detached properties in substantial plots which
front on to St Lukes Road.

CONSULTATION RESPONSES:

The Highways Engineer has no objection in principle subject to conditions:

- access driveway to be surfaced in bound material for first 5m to rear of
highway
- any gates shall be set back minimum of 5m from rear of highway and shall
open inwards towards the site
- Visibility splays of 2m x 20m at access shall be submitted and agreed prior to
commencement. No obstructions to visibility over 800mm in height.
- Reserved matters shall include details of onsite parking provision and turning
space
- Informative regarding gaining permission for work on adopted highway

The Geotechnical Engineers have no objection subject to Conditions regarding shallow mineworking and Landfill gas and Informatives.

The Drainage Engineer has no objection subject to Condition B34 (details of drainage).

The Arboricultural Officer objects to the proposal. In response to the 2007 application a Tree Preservation Order (TPO) was made, protecting a number of trees along the eastern boundary of the site. This application (although outline) indicates detached garages positioned well within the Root Protection Area (RPA) of the protected trees within the red edge of the site, and this is objected to. There must be no soil level alterations, service installations, material storage within the RPA.

The Council's Environmental Planner initially requested an Extended Phase 1 Habitat Survey to be carried out prior to determination. However following discussions with the Applicant, has now confirmed that informatives would be sufficient regarding tree and shrub removal to minimise impact on nesting birds, and if protected species (bats, reptiles or amphibians) are encountered during tree works, the development must be halted and a licensed ecologist and Natural England (01743 282000) contacted for advice.

Great Dawley Parish Council has no objections to this proposal.

One neighbour letter of objection has been received raising concerns that the proposal will adversely affect the character of the existing property and the area, lead to loss of privacy, loss of wildlife, damage to root system of trees protected by TPO. The vehicular access will mean the original boundary wall will be removed and additional traffic will be detrimental to highway safety.

PLANNING HISTORY:

W2007/0819 Erection Of 3no. Detached Dwellings With Creation Of New Vehicular Access (Outline Planning Application), Outline Refused as the layout failed to reinforce the character of the area.

W2007/1277 Erection Of 3no. Detached Dwellings (Outline Planning Application), Outline Granted

POLICY CONTEXT:

National Guidance:

PPS1 Delivering Sustainable Development

PPS3 Housing

Core Strategy:

CS1 Homes

CS15 Urban Design

Wrekin Local Plan:

UD2 Design Criteria

H6 Windfall sites in Telford & Newport

PLANNING CONSIDERATIONS:

National Planning Policy Statement 1 (PPS1) asserts that development must be of a high quality design, reflecting the context of the area and enhancing the character and quality of the locality. PPS3 reflects policy in PPS1, referring to the requirement that development should be of good design and appropriate in its context, enhancing the distinctive character. It should be well integrated and complementary to neighbouring buildings and the locality with regard to scale, density, layout and access.

In terms of local planning policy, Local Development Framework policy CS1 states that housing development will seek to provide every household with an affordable, decent and appropriate home with a range of type, size and tenure to meet local need. CS15 outlines design of development will create and sustain safe places and strengthen local identity, positively influencing the appearance and use of the local environment.

Policy UD2 of the Wrekin Local Plan asserts that development must respect and respond positively to the context, and enhance the local environment through high quality design, and it will be assessed in relation to its scale, form, density, orientation, layout, proportions, materials and access etc. Policy H6 states that housing development within the built up area is permitted if it complies with certain criteria relating to parking, access, drainage, ground issues, impact on adjacent use and high quality design.

The previous application was considered acceptable as the frontage development would be characteristic of the existing linear form of development, and would reinforce the local distinctiveness, character and appearance of the area. The indicative layout demonstrated that three dwellings could be accommodated on the site, without being detrimental to the protected trees. Furthermore, the site could be adequately drained with a suitable access, whilst maintaining the character and appearance of the area.

The proposal is for three detached dwellings located in the side garden of the existing property. The application is for outline consent with an indicative layout submitted and the dwellings positioned in line with the front of Greenhurst and garages set back. The application forms do not specify whether any matters are to be considered at this stage, but the previous consent included access arrangements with all other matters reserved for subsequent approval. Highways Engineer has agreed the central position for the new access to serve the existing and proposed dwellings.

It is considered that the proposal accords with the criteria in the above national and local planning policies and with regard to the extant planning permission, with the principle of residential development approved in 2007. The proposal for 3 dwellings is considered acceptable, with a proposed new central access, and the site is large enough to accommodate the properties and associated parking and amenity space, and will not have a detrimental impact on adjoining residential amenities, highway safety or trees. Whilst the Arboricultural Officer has raised concerns regarding the proposed garages being located within the RPA of the protected trees, the layout is indicative and therefore this issue can be resolved at the reserved matters stage.

The proposed residential development will be in keeping with the context of the area and will be of an appropriate scale and density.

RECOMMENDATION: Grant planning permission subject to the following conditions:

A01 Standard time limit (outline)

A02 Time limit for Reserved Matters

B02 Reserved Matters to be submitted

B05 Samples of materials

B13 Details of boundary treatment

B25 Shallow mineworking

B34 Drainage details

B83 Trees – protective fencing

Details of visibility splays

Details of onsite parking provision/turning space

Existing access permanently closed within 1 month of new access

Surfacing of access drive

Gates set back minimum of 5m

C50 Foundation design - Landfill gas

Indicative layout on plans is not approved by permission

D01 Removal of permitted development rights

Informatives

I30 Conditions

I34 Reason for Outline Grant

I16 Minerals Area

I19 Contaminated Land

Highways informative

Ecology informative

REASON FOR APPROVAL:

The principle of the development has already been approved by the 2007 extant planning permission. The proposal is considered acceptable as the site can be adequately accessed and can accommodate the dwellings with sufficient amenity space and parking provision, and without detriment to adjoining residential amenity, highway safety or protected trees. The scale and density of development is appropriate and in keeping with the context of the area.

TWC/2010/0095 69 King Street, Wellington, Telford, Shropshire, TF1 1NS
Change of use from former Public House to Residential Institution with associated Cafe

APPLICANT
Mr P McCarthy

RECEIVED
06/04/2010

PARISH
Wellington

WARD
College

CASE OFFICER
Anna Robinson

COUNCILLOR DAVID CHAPLIN HAS REQUESTED THAT THE APPLICATION IS CONSIDERED BY MEMBERS AT PLANS BOARD AS THE OWNER/APPLICANT IS A WELLINGTON TOWN COUNCILLOR

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Extant planning permission for change of use, Character and appearance.

THE PROPOSAL:

The application seeks planning permission for change of use from Public House (Use Class A4) to a Residential Institution (C3) with associated Café (A3), open to the public. There will be an integral kitchen, serving bar and seating area leading out on to the courtyard area to the rear. The residential institution will comprise 4no. en-suite bedrooms at ground and first floor level with communal kitchen and lounge facilities. This is an amendment to the previous planning permission in 2009 which was for change of use from the public house to residential institution.

THE SITE AND SURROUNDINGS:

The application site comprises a former Public House (The Black Horse) fronting King Street, Wellington. The property is a traditional two-storey building with a single storey element to side elevation, and is rendered and painted white, with plain tiled roof. A metal staircase at the side gable of the building leads to the first floor accommodation. A small courtyard area is located to the rear of the public house, with garden land to neighbouring properties beyond rear boundary. The property is located within a predominantly residential area and is in a highly accessible location, close to Wellington District Centre, the railway and bus stations.

CONSULTATION RESPONSES:

The Council's Highways Engineer has no objection to the proposal.

Wellington Town Council objects to the proposal on the basis that the property has no suitable parking facilities for delivery vehicles and clients of the proposed cafeteria. The historic use of the building as a public house had dwindled recently, in part because of the lack of client parking.

Shropshire Council makes no comment to the proposal.

Shropshire Fire Service advises that the benefit of installing a correctly designed sprinkler system which can detect and control a fire at an early stage of development will rapidly reduce the rate of production of heat and smoke.

PLANNING HISTORY:

W2009/0323 Change of use from public house to residential institution, Full Granted.

Enforcement matter in 2010 - Alleged unauthorised change of use.

POLICY CONTEXT:

National Planning Policy:

PPS1 Delivering Sustainable Development

Core Strategy:

CS5 District and Local Centres in Telford

CS10 Community Facilities

CS15 Urban Design

Wrekin Local Plan:

UD2 Design Criteria

PLANNING CONSIDERATIONS:

Planning Policy Statement 1 asserts that development should be of a high quality design and should reinforce local distinctiveness, and where it is inappropriate in its context or fails to improve the character and quality of an area, it should not be accepted.

Core Strategy Policy CS5 states that new housing development and core services and facilities will be located within existing District Centres and in highly accessible locations, and serve the local needs of the community. Policy CS10 outlines public houses along with other facilities form part the fabric of the community and the loss of such facilities will be resisted unless a lack of need can be demonstrated. Policy CS15 expects development to assist in strengthening local identity and projecting a positive local image.

Wrekin Local Plan Policy UD2 asserts that development must respect and respond positively to its context, and enhance the quality of the local environment through high quality design. It also states the development will be assessed in relation to its proportions and materials etc.

Planning permission was previously granted for change of use of the public house to a residential institution. The previous application was considered to comply with planning policy and was acceptable as there were a sufficient number of similar public houses in the locality and the information submitted with the application satisfactorily demonstrated that there was a lack of demand for the public house. The proposed facility would help to support people with a view to assisting them to live independently in the community. The improved exterior of the building had a positive impact on the character and appearance of the streetscene and the area and a potential improvement on residential amenity. Furthermore, there would be no adverse impact on highway safety.

The change of use to residential accommodation provides a 'stepping stone' from care provision to independent living, with the Applicants providing support from their property opposite the site in King Street. The intention is to teach the occupants of the residential institution independent living skills which will help them to integrate into the community. These skills will include cookery, computing and gardening. The only change to the previous application is the incorporation of a café and alterations to the internal layout to accommodate the café facilities, along with the addition of external doors from King Street and the courtyard to the café area. The public house (A4 use class) could be converted to a café (A3) without the need for planning permission.

With regard to CS10, the loss of the public house has already been considered acceptable given the site's proximity to similar facilities in the District Centre. Furthermore the addition of a café will maintain a community function within the building.

With reference to Wellington Town Council's concerns, the proposed use must be considered in relation to the extant use of the building. The previous use of the building as a public house would have had delivery vehicles at the property and it is considered that the proposed café facilities would not exacerbate vehicle movements. The Highways Engineer has raised no objections to the proposal. The scale of the business would be relatively modest forming a complementary function to the main use of the building as a residential institution and would provide the residents with the opportunity to utilise their cookery skills and interact with members of the public.

Whilst there is limited parking provision in the locality, the property is located within walking distance of the District Centre, public car parks, the railway and bus stations. Furthermore, the Applicants hope that much of the potential custom would be from students at New College further along King Street along with residents of nearby properties. Thus it is not considered that the proposal would have an adverse impact on highway safety.

No hours of opening have been indicated on the application forms, therefore officers have suggested 8am to 6pm with no restriction on days of the week, having regard to the previous use of the property as a public house.

The external alterations to the building, principally the addition of doors to the café area, are considered to be appropriate in relation to the design and form of the existing building, and will be in keeping with the character and appearance of the property and area.

In conclusion, the Local Planning Authority considers the proposed change of use of the public house to a residential institution with café is acceptable in regard to the context of the site in a highly accessible location, its previous use and the extant planning permission. It will provide a local community facility, enabling occupants to gain skills to become independent. The proposal will not have a detrimental impact on the adjoining residential amenities in terms of how the café will operate, with a condition imposed on the hours of opening. Furthermore there will be no significant impacts on highway safety.

RECOMMENDATION: Grant planning permission subject to the following conditions:

- 1) A03 Standard time limit
- 2) C38 Development in accordance with plans
- 3) D01 Removal of permitted development rights
- 4) Hours of opening of café 8am to 6pm

Informatives

I30 Conditions

I31 Reason for Planning Permission

REASON FOR APPROVAL:

The Local Planning Authority considers the proposed change of use is acceptable in terms of its scale, design and form in this location. The residential institution and café will provide a local community facility and enable occupants to gain independent living skills. Furthermore the proposal will not have a detrimental impact on the adjoining residential amenities or on highway safety.

TWC/2010/0097 27-31 High Street, Wellington, Telford, Shropshire, TF1 1JW
Application to replace extant planning permission W2007/0536 for part demolition of vacant shops and erection of 12no. residential units

APPLICANT

The Glory Hole Limited

RECEIVED

09/04/2010

PARISH

Wellington

WARD

College

CASE OFFICER

Emma Green

OBJECTIONS RECEIVED: No.

MAIN ISSUES: Principle of development, open space, highways, impact on character and appearance of area and impact on neighbouring properties.

PROPOSAL:

This is an application to renew extant permission W2007/0536 which is a full application for the demolition of vacant shops, conversion of one building and erection of new buildings to create 12 residential units, including 4 1-bed units, 7 2-bed units and 1 3-bed unit. The accommodation will be in an L-shaped block, which is three storey along frontage with High Street and two storey on the rear block along the western elevation. The proposal also includes the provision of 12 parking spaces, cycle store and bin storage.

SITE AND SURROUNDINGS

The application site consists of a row of former shops, with residential accommodation over, which is now vacant and has been subject to fire damage, all fronting High Street. At the rear of the site the north boundary is defined by a substantial retaining wall, which separates the site from the heath centre, which is on a ground level approx 2.5m lower.

This part of High Street is in mixed use with residential to the south and a mix of commercial and residential to the north. Immediately adjoining the site to the east is a hot food takeaway, which has a flue down the side of the property. To the west is a heating and plumbing show room and warehouse. This has security palisade fencing along this boundary. There are a number of trees to the eastern and northern boundaries.

HISTORY:

In November 2006 planning consent was refused for the demolition of vacant shops and erection of 13 no. residential dwellings, on the grounds that the new frontage building failed to reflect the proportions and rhythms of the retained building (no. 27). Other reasons for refusal related to impact on amenities of future occupiers due to proximity of windows to flue of the adjoining hot food takeaway. In addition, the scheme provided insufficient on site parking provision and the amenity space was inadequate.

CONSULTATION RESPONSES:

Wellington Town Council has no objection subject to provision of lay-by parking along frontage by reducing footpath width.

Shropshire County Council Archaeology has no comments.

The Council's Outdoor Recreational Officer, no objections subject to a suitable contribution for off site recreational facilities.

The Council's Geotechnical and Drainage Engineers no objections subject to same conditions as previous application.

The Council's Highways Engineers has no objections.

Shropshire Fire Service has no objections subject to informatives relating to access for emergency vehicles, water supplies and sprinkler systems.

43 notification letters have been sent and no letters of representation have been received.

POLICY CONTEXT:

National Policy

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport
PPG17	Open Space, sport and Recreation

Core Strategy policies

CS1	Homes
CS5	District and Local Centres in Telford
CS14	Cultural, Historic and Built Environment
CS15	Urban Design

'saved' Wrekin Local plan policies

UD2	Design Criteria
H6	Windfall Sites in Telford and Newport
T22	Planning Obligations
LR4	Outdoor recreation and open space
LR6	Developers contributions to outdoor recreation/open space provision
EH7	Contaminated Land
EH8	Remedial Action on Contaminated Land
S11	Wellington Secondary Zone
HE25	Buildings of Local Interest

PLANNING CONSIDERATIONS:

The application site lies on the edge of Wellington secondary zone as defined in the Local Plan. No. 27 is a Locally Listed Building of architectural merit, which warrants retention and reuse as proposed by this scheme and encouraged under 'saved' policy HE25 of the Wrekin Local Plan.

The proposal along with the retention of the Locally Listed Building seeks to demolish vacant shops with accommodation over and rebuild the frontage buildings along with a rear extension to create residential units. This is acceptable in principle in accordance with policy H6, if the site can be accessed, provide parking, has

drainage, issues of land contamination can be remediated, there is no adverse impact on adjacent uses and the proposal is of a high quality design.

A previous application for the site was refused as, although acceptable in principle, issues of parking and design had not been sufficiently addressed. This scheme seeks to retain no. 27, which is a three-storey building, whilst demolishing 29 and 31, which are two storey building. These are then to be replaced by three storey buildings on the same footprint. The design of this front extension continues the rhythm and proportions of the adjacent Locally Listed Building and is proportionate to the building, adjacent buildings and the surrounding character of the area.

The proposal also seeks to construct a rear extension, which is two-storey along the eastern boundary of the site. Following previous negotiations regarding the design of the block, the proposal now incorporates many of the features and proportions of the front block, to create a building, which includes many traditional features associated with Shropshire vernacular. It is therefore considered by officers that the design of the proposed scheme reinforces local distinctiveness and complies with policies, UD2 and H6 of the Local Plan and CS15 of the core strategy.

The design of the rear extension will be blind backed development; therefore there are no windows in close proximity to the flue of the adjacent hot food takeaway and no adverse issues of odour should affect future occupier's amenities. Also with regards to amenity, this scheme has created small individual private gardens or balconies, which will provide more usable space and provide an acceptable level of amenity for future occupiers. As the site is adjoined by none residential units to the north and west, there are no issues of overlooking or loss of privacy from windows or balconies.

This proposal is for 12 properties, with the provision of 12 on-site car parking spaces, and given the proximity of the site to the district centre, bus and train station, and the ability for visitor parking on street, it is considered that the parking is acceptable and complies with policy H6 of the Wrekin Local Plan.

In conclusion, officers consider that on balance, the principle of redevelopment of this site for residential is acceptable, subject to conditions, mitigating works and planning obligations.

RECOMMENDATION: To GRANT FULL PLANNING PERMISSION subject to the applicant entering into a Section 106 Agreement to provide financial contributions towards provision of off-site recreational facilities, and subject to the following conditions:

1. A03 Full with no reserved matters
2. B09 Samples of Materials
3. B11 Details of Windows and Doors
4. B13 Details of enclosure
5. B14 Landscape Design
6. B24 Mud on Road
7. B31 Contaminated Land
8. B33 Foul and surface water
9. C04 Window details

- 10.C19 Car parking
- 11.C38 Development in accordance with deposited plans
- 12.D08 No further windows
- 13.I06 Section 106 Agreement
- 14.I25 Fire Service
- 15.I30 Conditions
- 16.I31 Reasons for Grant of Planning Permission
- 17.RA06

REASON FOR APPROVAL:

The proposed development in terms of density and mix of units is acceptable, and incorporates an element of affordable housing. The scale, mass and design of the new dwellings are in keeping with the character and appearance of the surrounding area. The traffic movements generated by the development can be accommodated without detriment to highway safety. Furthermore, the proposed development will not adversely impact on amenities of neighbouring occupiers.

TWC/2010/0120 Land north of Brookside Primary School, Beaconsfield, Brookside, TF3 1LG
Outline application for residential development

APPLICANT

Telford & Wrekin Council

RECEIVED

05/05/2010

PARISH

Stirchley and Brookside

WARD

Brookside

CASE OFFICER

Emma Green

OBJECTIONS RECEIVED: Yes.

MAIN ISSUES: Principle of development, open space, highways implications, impact on character and appearance of area, and impact on neighbouring properties.

PROPOSAL:

This application is the first phase of a joint venture between Telford and Wrekin Council and Homes and Communities Agency (HCA) to bring forward sites for 100% affordable housing to meet local housing needs.

This is an outline application for residential development with all matters reserved for later consideration. A zoning plan has been submitted which identifies the maximum area for built development, whilst identifying area for access, parking and gardens. This plan also shows an indicative layout with 8 properties with a mix of scale, size and style of properties. 1 x 4 bed detached house, 4 x 3 bed semi detached properties and 3 x 2 bed terraced properties.

There is a mix of parking arrangements demonstrated, with on plot parking, garaging and a parking court adjacent to properties. The layout shows at least 24 car parking spaces, can be accommodated along with this scale of development.

SITE AND SURROUNDINGS:

The application site is 0.3 ha, currently used as open space with a small purpose built car park with space for 9 vehicles.

The site is located within a densely residential area, which is a Radburn estate, and is substantially two storey in scale with some three storey flatted development. There is a primary school and community centre to the south of the site. Beyond these is a children's playground, Multi use games area (MUGA), skate park and open space.

The site is bounded by footpaths on all boundaries. The primary school to the south has palisade fencing and hedging. The western boundary has rear gardens to properties in Briarwood. Side gables to properties and gardens adjoin the northern boundary. Access roads to school with three storey flatted development beyond is adjacent to the eastern boundary.

The site is generally flat with a gentle slope falling from west to east. There are a number of trees to the eastern and western boundaries.

CONSULTATIONS:

The Council's **Ecology Officer** has no objections to the proposal subject to conditions and informatives. The habitat survey found no evidence of protected species, but recommends retention of trees, however, if tree removal occurs, replacement planting of native species is recommended to be secured by condition, with an informative relating to best time for tree felling.

The Council's **Drainage Engineer** has no objections subject to conditions. This is a Brownfield site and therefore surface water discharge should be restricted to runoff rates. Details of how this is to be achieved to be submitted with reserved matters.

Shropshire Fire Service has no objections subject to informatives relating to access for emergency vehicles, water supplies and sprinkler systems.

The Council's **Highways Engineer** has no objections to the proposal subject to conditions requiring the layout of the development to provide at least 9 car parking spaces to retain the level of parking provision available for peak school times, and details of layout and parking for proposed dwellings.

Brookside and Stirchley Parish Council objects to the application, it considers that the proposal is inappropriate for the area in terms of, over development, poor existing road infrastructure, parking pressures, road safety issues, access for emergency vehicles would be restricted, loss of open space and loss of visual amenity. The parish appreciates the need for housing but believes efforts should be directed towards re-use of existing vacant properties.

51 letters of neighbour consultation have been sent out and 22 letters of objection and a petition of 147 signatures have been submitted on the following grounds:

- Loss of car parking for school and residents
- Increased on road parking
- Health and safety issues relating to school children
- Loss of open space/play space
- Creation of more alley ways and trouble spots
- Loss of trees
- Highly populated area that does not require additional development
- Impact on drainage system
- Damage to properties during construction

PLANNING POLICY CONTEXT:

National Policy

PPS1 Delivering sustainable development

PPS3 Housing

PPS9 Biodiversity and geological conservation

LDF Core Strategy

CS1 Homes

CS9 Accessibility and Social Inclusion

CS11 Open Space

CS13 Environmental Resources

CS15 Urban Design

'Saved' policies Wrekin Local Plan
UD2 Design Criteria
H6 Windfall sites in Telford and Newport
H22 Community Facilities
H23 Affordable Housing
OL11 Woodlands and Trees
LR6 Developers Contributions to outdoor recreational open space provision within new residential developments.

PLANNING CONSIDERATIONS:

The proposal is for outline planning permission, with all matters reserved. The master plan submitted with the application indicates maximum horizontal parameters set out in zones and limits the vertical parameters to 2.5 stories.

Principle of development:

The site is designated as 'white' land within the Wrekin Local Plan, where development is permitted in principle. Policy H6 relates to residential development within the built up area, which is to be supported if issues of access, parking, drainage, land contamination and stability, impact on adjacent properties, and design can be adequately addressed. Each of these issues is considered below to determine if the principle of residential development is acceptable.

Highways:

The site currently includes a car park for the school and residents. It is laid out with nine spaces, and is well used especially for peak school periods. The Council's Highways Engineer has raised concerns that loss of this parking would have a detrimental impact on highway safety at peak school periods, with increased on street parking. However, if the consent is restricted with a condition to ensure that at least 9 spaces are retained in any proposed layout, this would be sufficient to overcome highway safety implications.

The master plan submitted with the proposal demonstrates that an acceptable layout of development can be accommodated on the site with adequate levels of parking provision for the new development and retain the nine existing spaces. Officers therefore recommend a condition for provision of at least 9 visitor spaces, over an above the provision for new dwellings.

Open space and trees:

The site is also an area of open space for informal play as well as car parking. Objectors have raised issues over loss of play space, this site is not protected. However, the play space, including MUGA, Skate Park, and playground adjacent to the school is within the green network and is therefore afforded sufficient protection to ensure that there is adequate long term play provision, without the retention of this site.

The masterplan indicates that all of the trees on site would be removed. Whilst from an ecological perspective retention would be beneficial. The size of these trees is of concern and removal is recommended along with a replacement planting scheme, to ensure there is no long term adverse impact on ecology, and to soften the visual appearance of the site. This is proposed to be secured via condition. The

development therefore accords with policy CS11 of the core strategy and policy OL11 of the Wrekin Local Plan

Character and appearance and impact on neighbours:

The masterplan indicates two development zones located to the east and west of the site and continues the form of development of the surrounding area in terms of building lines. The main difference from the surrounding Radburn estate is this development has principal elevations facing out on to the road and footpaths, to give natural surveillance of public spaces, rather than private spaces. Rear gardens can be located back to back to give clearly defined private spaces.

This configuration of development zones will allow for a wide variety of affordable housing types, of a scale, which respects the character and appearance of the surrounding area. The location of the development zones would ensure that there is sufficient separation from existing and proposed dwellings to preserve residential amenities. The proposal accords with policy UD2 of the Wrekin Local Plan and CS15 of the Core Strategy.

Drainage and ground conditions:

The site can be adequately drainage and levels of run off can be adequately controlled through conditions. There site has no issues of ground stability or land contamination.

Other issues:

Objectors have raised issues relating to damage and disturbance during the construction period for any development. This is not a material planning consideration, and therefore has not been considered in the determination of the proposal.

Planning obligations:

The proposal is for 100% affordable dwellings and this is to be secured through a memorandum as this is a Council owned site, and the Council can not enter into a Section 106 agreement with its self. However, the sale of the land will require the new owners to enter into a Section 106 agreement.

In addition to the affordable housing there is to be a financial contribution of £600 per dwelling for maintenance and improvement of local leisure facilities and £1000 per dwelling contributions for local primary school education.

Conclusion:

The scale and layout of development is in keeping with the character and appearance of the surrounding area. The masterplan demonstrates that the site can accommodate an acceptable mix of dwellings, with adequate parking provision for the proposed dwellings and retention of parking for the school. The site can be adequately drained; there are no issues of land contamination of stability. There is adequate alternative open space and play provision adjacent to the site, with financial contribution for on going maintenance and improvement. Accordingly, the proposal complies with requirements of policy H6 and is acceptable in principle.

RECOMMENDATION: GRANT OF OUTLINE PLANNING PERMISSION subject the Council as landowner agreeing that the land will be bound by the obligations in respect of the provision of 100% affordable housing, and a sum of monies for leisure and education and the following conditions:

1. A01 Outline planning permission
2. A02 Reserved matters submissions
3. B01 Standard outline
4. B03 General details required
5. BNS Drainage
6. BNS Highways details of roads, parking and turning.
7. BNS replacement tree planting
8. C38 development in accordance with submitted plans
9. CNS Development in accordance with development zones on masterplan
10. CNS Layout to provide 9 public car parking spaces
11. I30 Conditions
12. I34 Grant of Outline planning permission
13. I25 Fire Service

REASON FOR APPROVAL:

The site can adequately accommodate a mix housing scheme, with adequate parking to ensure no adverse impact on highway safety. The scale of development is acceptable and in keeping with the character and appearance of the surrounding area, the loss of trees can be mitigated with a replacement planting scheme.

TWC/2010/0129 234 The Tuckies, Jackfield, Telford, Shropshire, TF8 7LT
Erection of a Detached House with a Detached Garage/Studio and Vehicular Access

APPLICANT

Bird

RECEIVED

20/04/2010

PARISH

The Gorge

WARD

Ironbridge Gorge

CASE OFFICER

Anna Robinson

OBJECTIONS RECEIVED: No.

MAIN ISSUES: Principle of Development, Access, Scale and Design, Character and Appearance

THE PROPOSAL:

The application seeks full planning permission for the erection of a Detached House with a Detached Garage/Studio and Vehicular Access on land adjacent to 234 The Tuckies, Jackfield. The dwelling is proposed on the site of a former Public House, the Duke of Wellington (DoW).

The application follows a previous refusal for a similar development in 2008 (Application Ref: W2008/0867), and subsequent pre-application discussions between the Council and the Applicants to seek to overcome the refusal reasons.

THE SITE AND SURROUNDINGS:

The application site comprises garden land to 234 The Tuckies, a semi-detached property, attached to No.231, originally a row of 4 cottages. The properties have a shared private drive, and are of brown brick and plain clay tile construction, with hipped roofs and ladder casement windows.

The site is substantial and has been cleared and the cellar of the former DoW Public House has been uncovered and excavated. The cellar has been incorporated into the proposal to be retained and utilised. The site is elevated from the road and is wooded to the rear boundary, with open meadow area to east. The narrow road adjacent to The Tuckies leads to the River Severn and The Boat Public House and a row of cottages in Ferry Road. A disused railway (now part of the Severn Valley Way) is located to the south of the site.

The site is located within the Severn Gorge Conservation Area and Ironbridge Gorge World Heritage Site, and is designated within the Green Network in the Wrekin Local Plan.

CONSULTATION RESPONSES:

The Gorge Parish Council has no comment to make regarding the proposal.

The Council's Highways Engineer has no objection in principle to the proposal subject to conditions regarding provision of visibility splays of 2m x 25m as shown on plan PC198/130 and thereafter kept free of all obstructions over height of 800mm above highway level and the access driveway shall be surfaced in a bound material

for the first 5m to the rear of the highway, as well as an informative regarding work on adopted highway.

The Conservation Officer has advised that there have been a number of pre-application discussions with other officers in respect of this site and the previous refusal, which proposed a 3-storey development reflecting the earlier Public House, and was rejected as being over scale. The design is complicated by the presence of an existing cellar structure which to some degree has limited the form of the footprint available, hence a rather elongated design and subsequently the depth and eaves height. The applicant has sought to resolve this issue by creating what may be loosely called a double fronted property with a covered porch to the front which links into the adjacent cottages. The height is similar to the cottages in respect of ground to ridge height but unfortunately the surrounding land is raised thus it appears bigger. There are no objections to the 'brew house' garage to the rear which is based on a previously existing structure on the site of the old Duke of Wellington. The proposal is a reasonable attempt at overcoming them and trying to achieve a traditional finish. Conditions are required for materials, external finishes, joinery, rainwater goods etc.

The Geotechnical Engineers' comments are awaited and will be given as an update to Members at Plans Board.

The Drainage Engineer asserts that as stated in the Flood Risk Assessment (FRA), the surface water drainage arrangements for the development site should be such that the volumes and peak flow rates of surface water leaving a developed site are no greater than the rates prior to the proposed development. Details on how this will be achieved should be submitted including calculations which take into account the potential for the normally free outfall into the river Severn (which is the stated outfall) to be restricted during periods when the river is in flood. Information should also be submitted regarding proposed location of the attenuation features and the biodisk system.

The Environmental Planner advises it is possible that amphibians and reptiles could be present on the site. Therefore contractors should be made aware of the potential presence of protected species, and care must be taken when clearing vegetation and digging. If any protected species are encountered during works, the development must be halted and a licensed ecologist/Natural England contacted for advice. Furthermore to avoid causing harm to wildlife, any trenches left overnight should contain a ramp, and vegetation should be removed in phases.

Environmental Health (Contaminated Land) has no comments.

Shropshire Fire Authority state that adequate access must be provided for emergency fire vehicles and installation of a sprinkler system would be beneficial.

One neighbour letter has been received confirming there are no objections to the proposal.

PLANNING HISTORY:

W2006/0851 Change of Use from Open Land to Private Garden Land with Fencing, Full Granted

W2008/0867 Erection of 1no. Two Storey Dwelling and Garage/Studio, Full Refused

TWC/2010/0107 Demolition of existing garage and erection of a two storey side extension and a single storey rear extension, No Decision Made

Pre-application discussions in 2009 and 2010 regarding the proposal and agreeing the principle of a dwelling on the site, subject to detailed plans

POLICY CONTEXT:

National guidance:

PPS1 Delivering Sustainable Development

PPS3 Housing

PPS5 Planning and the Historic Environment

PPS25 Planning and Flood Risk

Core Strategy:

CS14 Cultural, Historic and Built Environment

CS15 Urban Design

Wrekin Local Plan:

UD2 Design Criteria

H6 Windfall Sites in Telford & Newport

OL3 Green Network

OL4 Development in the Green Network

OL5 Extensions and redevelopment in the Green Network

HE3 New Development in Conservation Areas

SG1 World Heritage Site

PLANNING CONSIDERATIONS:

National Planning Policy Statement 1 (PPS1) asserts that development must be of a high quality design, reflecting the context of the area and enhancing the character and quality of the locality. PPS3 reflects policy in PPS1, referring to the requirement that development should be of good design and appropriate in its context, enhancing the distinctive character. It should be well integrated and complementary to neighbouring buildings and the locality with regard to scale, density, layout and access.

The principle aim of the new PPS5 is to ensure that the historic environment and its heritage assets are conserved for future generations. Local Planning Authorities must consider whether proposed development makes a positive contribution to the character and local distinctiveness of the historic environment; and consideration of design should include scale, height, massing, alignment, materials and use.

National guidance in PPS25 asserts the onus is on the developer the land and property against flooding. It must be demonstrated to the regulatory authorities by providing an FRA that the development that will not be affected by flooding or increase flood risk elsewhere. Furthermore, necessary measures must be taken to deal with the effects and risks.

In terms of local planning policy, Local Development Framework policy CS14 aims to protect and enhance the Borough's cultural, historic and built environment, in particular conserving the heritage assets of the Ironbridge Gorge World Heritage Site. CS15 outlines design of development will create and sustain safe places and strengthen local identity, positively influencing the appearance and use of the local environment.

Policy UD2 of the Wrekin Local Plan asserts that development must respect and respond positively to the context, and enhance the local environment through high quality design, and it will be assessed in relation to its scale, form, density, orientation, layout, proportions, materials and access etc. Policy H6 states that housing development within the built up area is permitted if it complies with certain criteria relating to parking, access, drainage, ground issues, impact on adjacent use and high quality design, especially in Conservation Areas.

Policies OL3, OL4 and OL5 state that the Council must protect the Green Network and that unless there are exceptional circumstances; the development contributes or is complimentary to the aims of the Green Network; or the development would provide environmental or community benefits, there is a general presumption against development. Redevelopment of sites within this designation will be permitted providing they do not significantly affect the function of the Green Network, provide other environmental benefits such as landscaping and sites of ecological, geological or archaeological value are not adversely affected.

HE3 outlines that new development in Conservation Areas is expected to preserve or enhance the character and appearance of the area and the design should be appropriate in terms of scale, form, massing and materials etc. In determining applications in the Severn Gorge area, Policy SG1 iterates that significant weight will be given to the area's designation as a World Heritage Site.

The proposal comprises a two-storey brick double-fronted property with clay tiled roof with a 40 degree pitch and traditional ladder casement windows. The mass of the building has been broken up with the addition of a porch on the frontage and two-storey rear gable and sun room. The new dwelling has been designed to reflect the scale and design of the adjacent cottages at The Tuckies. The original cellar of the DoW will be incorporated in the proposal. A detached garage with studio above is proposed at the rear of the dwelling in the location of the former brewhouse to the DoW. The west elevations of the dwelling and garage/studio are blank to ensure there is no detriment to the residential amenities of the adjoining cottages. A new vehicular access is proposed at the northwest of the new dwelling, with large area of amenity space to frontage and rear.

The previous application W2008/0867 was refused on four grounds. These were that it failed to contribute or be complementary to the aims of the Green Network, or provide environmental or community benefits; the scale, massing and design would fail to preserve or enhance the Conservation Area and the World Heritage Site, on highways safety grounds as the proposed access had substandard visibility and insufficient information was submitted regarding flood risk. Since the refusal of planning permission, the Applicants have been involved in thorough discussions with

Council officers to resolve these issues and further consideration has been given to the site constraints.

With regard to the Green Network, it has been established through surveys of the site that the proposal would not be detrimental to the aims of the Green Network with regard to local ecology; therefore the first reason for refusal can be overcome and the principle of development is therefore considered acceptable as the site is located within the development boundary of Telford and constitutes a suitable housing plot on the site of the former Public House, with the building positioned in line with the adjacent cottages.

The design of the proposed building has been revised taking into account the previous objections regarding scale, massing, proportions and detailing. Whilst the building is still rather elongated due to the presence of the existing cellar, and the building appears prominent adjacent to the existing cottages due to its elevated position; the amended proposal has addressed the majority of the planning and conservation concerns regarding the scale, design and appearance of the building, and outstanding issues can be resolved by conditions.

The third refusal reason related to the substandard visibility of the vehicular access. This has been resolved by repositioning the drive access following advice from the Highways Engineer to ensure the provision of the required visibility splays. In this regard, the highways issues have been overcome and can be controlled by imposition of conditions.

The additional information that has been provided with regard to flood risk to overcome the remaining refusal reason is considered sufficient, and the outstanding drainage requirements can be dealt with by condition.

In conclusion the submitted scheme has overcome the previous reasons for refusal and accords with the relevant national and local planning policies. The proposed dwelling is considered acceptable in terms of the scale, design and form and will be in keeping with the context of the area and preserve the character and appearance of the Severn Gorge Conservation Area and the Ironbridge Gorge World Heritage Site. It has been demonstrated that the dwelling can be accommodated and the site can be adequately accessed with parking provision and private amenity space. Conditions are recommended as per consultations regarding highways and drainage requirements along with conditions regarding details on design and materials. In order to ensure proper control over the scale and design of the development and use of the garage/studio, restrictive conditions are also proposed.

RECOMMENDATION: Grant Planning Permission subject to conditions:

- 1) Standard time limit
- 2) Samples of materials
- 3) Sample panel of brick
- 4) Sections of external joinery (including front door) at scale 1:5
- 5) Rainwater goods to be approved
- 6) Window reveals to match the neighbouring properties,
- 7) Details of landscaping
- 8) Highways conditions

- 9) Drainage conditions
- 10) Development in accordance with plans
- 11) Removal of permitted development rights
- 12) Garage ancillary to main dwelling – no separate unit of accommodation

Informatives

Conditions

Reason for Grant

Ecology

Highways

REASON FOR APPROVAL:

The principle of a new dwelling is considered acceptable in this location, and can be adequately accessed and drained, with sufficient parking and amenity space. The proposal is appropriate in terms of design and scale and is in keeping with the context of the area, reflects the adjoining cottages, and preserves the character and appearance of the Severn Gorge Conservation Area and the Ironbridge Gorge World Heritage Site.

TWC/2010/0174 Sutton Hill Centre, Sutton Hill, Telford, Shropshire.
2 new retail units with 4 residential flats and new infrastructure incorporating public square, car parks and carriageways.

APPLICANT

Katherine Kynaston

RECEIVED

07/05/2010

PARISH

Madeley

WARD

Cuckoo Oak

CASE OFFICER

Emma Green

OBJECTIONS RECEIVED: No.

MAIN ISSUES: Principles of development and regeneration, highways implications, demolition of houses, urban design, landscaping and trees.

PROPOSAL:

The proposal involves the extension of the three access routes to create a linked highway network, with a central 'square' for car parking within the heart of the centre. To facilitate this, 19 residential dwellings and 26 garages are to be demolished to allow for realignment of roads, together with relocation of some parking provision.

In addition it is proposed to erect new retail units comprising of a supermarket with four residential units over, which is a two storey flat roofed design, and a single storey hot food takeaway adjoining it. The location of these new units is on the site of the former Red Admiral pub, adjacent to the existing retail units.

Other than the residential units over the shop, no replacement residential units are planned at this stage, but it is intended that the layout created by this proposal will create development blocks for future residential development as the next phase comes forward once the housing market has picked up.

The sites of demolished properties are to be cleared, seeded and fenced until future re-development occurs. Where part of a terraced block is for demolition, the exposed party wall is to be refaced and detailed to match the existing property

A refurbishment of the open space at the heart of the local centre is also proposed along with a wider landscaping.

BACKGROUND:

The proposal is a first phase application part of a regeneration plan for Sutton Hill, as part of a wider initiative and partnership between Telford and Wrekin Council, Homes and Community Agency and Advantage West Midlands. The Council has prepared a three year Local Investment Plan (LIP) in consultation with its partners, which concentrates on housing regeneration, growth and people.

Sutton Hill is one of the first estates completed in South Telford by the Telford Development Corporation. Whilst the LIP focuses on delivery and the long term strategy, it is noted that early intervention is required and have focussed on local centre improvements as the first phase of development.

In 1965 construction started in Sutton Hill, using non-traditional methods and based on the 'Radburn' principle, which departed from 'traditional' streets. The local centre including a community hall, child health centre, shops, public house and school and 350 properties were largely complete by mid 1968.

There has been some investment in the centre since, with a replacement school in 1990's re-landscaping of open space, car park in front of school, community hall refurbished and a new 'surestart' nursery built.

SITE AND SURROUNDINGS:

Sutton Hill Local Centre comprises a community centre, youth club, church, small supermarket, hot food takeaway, 'surestart' nursery, primary school and large area of open space with a children's playground, football area and skate park.

Within the centre is the vacant site previously occupied by the Red Admiral pub, which has been demolished and vacant for some time. This site has been acquired by the Council to facilitate comprehensive redevelopment options.

The buildings within the centre are functional in form and design, and the shop has roller shutters, which are largely left down due to crime and anti-social behaviour issues.

The open space adjacent to the supermarket, is a well used resource and includes children play space, however, there is a need for investment in the skate park and football pitch. There is a seating area to the front of the supermarket, and a number of trees, long with significant areas of tarmac.

The local centre is surrounded by residential properties. Two storey dwellings with mono pitch or butterfly roofs, often grouped in threes, with modest gardens and garaging and parking courts. Three storey properties are generally in larger groups of four or six, with front and rear gardens and remote parking provision often to rear.

A number of the units adjacent to the centre are vacant, and there are issues of poor condition of the housing stock in the area.

The main accesses to the local centre are via Stonedale, Southgate and Southfield, off the perimeter road Sutton Way. These are all cul-de-sacs terminating short of the centre in car parking areas. There is a redundant bus shelter in Stonedale, as the bus has been re-routed to use the perimeter road, and no longer serves the local centre.

PLANNING POLICY CONTEXT:

National Policy Guidance

PPS1: Delivering of sustainable development

PPS3: Housing

LDF Core Strategy

CS1 Homes

CS8 Regeneration

CS9 Accessibility and social Inclusion

CS10 Community Facilities
CS11 Open Space
CS15 Urban design

Wrekin Local Plan
UD2 Urban Design
UD4 Landscape design
UD5 Public Art
S24 Changes within Local centres and Local shops
S31 Shopfronts

CONSULTATION RESPONSES:
Parish Council comments awaited.

The Council's **Arboricultural Officer** supports the proposal subject to conditions. The officer is satisfied that the species selection for the supplementary planting are suitable for this location and will serve the area better with aspects of softening the landscape, adding colour to the area and being more conducive to management when established.

The Council's **Highways Engineer** has no objections to the proposal subject to inclusion of conditions relating to provision of visibility splays, details of realignment of footway/cycle way adjacent to school and realignment of security fencing to provide adequate visibility splays.

Shropshire Fire Service has no objection to the proposal, subject to informatives regarding issues of access for emergency vehicles, water supplies, and sprinkler systems.

The Council's **Ecology Officer** is satisfied that there is no evidence of bats for properties for demolition and only one birds nest, so no objection in principle subject to an informative relating to ecological issues.

The Council's **Geotechnical Engineers** have no objections to the proposal.

As part of the application process 100 neighbours were directly consulted. Currently, no responses have been received.

PLANNING CONSIDERATIONS:

Regeneration of Local Centre

Local centres provide a pivotal role in the creation of sustainable communities. The proposed construction of two new retail units, whilst being a reduction in overall number and size of existing facilities, will continue to support the local community. One unit will combine the supermarket and post office with the separate hot food takeaway in the adjacent shop. Although the units will be smaller than the existing provision the present space is under utilised and there is one vacant unit. This reduction in retail space is not expected to affect the vitality and viability of the local centre.

The existing units are to be retained and occupied during the construction phase to ensure continuity of services, and business will be relocated on completion of the new premises. The existing buildings are to be demolished and the site cleared for future development, potentially housing. This regeneration is supported by and in compliance with policies CS8 and CS10 of the core strategy

Urban Design:

The design of the new retail building is contemporary to reflect the modern nature of the surrounding development, but is of a simple design and will be a focal point within the centre.

The first floor of the new building is to accommodate four self contained residential units. The design of the building allows for a clear distinction between the retail element and residential above, with the use of public art and window design. The scale and massing of the building is appropriate for this location and the design reinforces the local distinctiveness of the area.

The modern design of the whole is further accentuated by use of “interesting” colour, graffiti panels and contemporary fencing design, helping to provide an ‘urban splash’ and interest. Accordingly, the development complies with policies CS15 of the LDF and UD2 of the Wrekin Local Plan.

Highways:

The proposed new road way will be 5.5m in width, with a series of bends to provide traffic calming. Stonewall (road) currently terminates in the public car park adjacent to the community centre, with a route through to parking in front of the school. Seven garages and six properties are to be demolished in this location to allow for the new link, which includes a buildout to give priority to traffic leaving the new square to slow traffic. The proposal includes the creation of a new 49 space car park adjacent to the community centre, which includes 5 disabled spaces. Existing car parking arrangements will be retained in the short term, however in the long term this site could be developed for residential use.

Southgate (road) currently terminates in a large under utilised car park, which also provides rear access to the existing shops and will also provide access for the new shops. Whilst this arrangement will continue, the realignment will mean that the access is altered to facilitate future development of this land. 12 dwellings and 11 garages are to be demolished in this location to facilitate works, along with the felling of a number of trees.

Southfield (road) is the main access for the school. One dwelling and 8 garages are to be demolished to allow for new link to be created, The 13 space car park is to be retained in this area.

The extension of the three culs-de-sac, will allow light traffic through a new central space, which will provide 30 car parking spaces, including 4 disabled spaces. It is located between the school and the new retail units. It is not intended that this would create a through route for passing traffic but would allow greater access to the local centre.

The retail units are to be serviced from the rear and there is a compound area for bin stores and deliveries etc.

The Council's Highways Engineer is satisfied that the details provided are acceptable subject to issues of visibility and detailed design to be covered through planning conditions. Officers therefore consider that the proposal will improve accessibility and improve access to local facilities within the local centre in accordance with principles of Policy CS9 in the core strategy.

Demolition of properties:

The proposal will result in the loss of residential properties, which would usually be resisted, without replacements proposed. In this case, the majority of the properties are vacant, and residents have been relocated into existing housing stock. The demolition is required to facilitate the realignment of the roads to incorporate natural safety features to reduce traffic speeds. In addition, the demolition and redevelopment of car parking provision will allow for future development site, for residential properties in the later phase of regeneration in Sutton Hill. It is therefore considered that the short term loss of accommodation is for a wider community benefit, and that the development plots created, can once developed provide for more than adequate numbers of replacement dwellings.

There are instances where only part of a terraced row or garage block is for demolition, and works will include re-facing exposed party walls to ensure that the character and appearance of the new wall is in keeping with the rest of the dwelling or garage.

The vacant land created by the demolition of properties and garages which is not to be used for the new highway will be cleared, grassed over and then secured with fencing. The fencing will be 1.8 m in height and a mesh design to allow visibility through the site whilst creating a secure space.

Landscaping and Trees:

The new retail/residential development will front onto the existing open space, which is to be refurbished and will create a link between the new and existing developments to create a heart to the local centre and reinforce the use of space.

A number of attractive semi-mature trees along Stonegate are to be removed to allow for the realignment of the new road, a replacement landscaping scheme is proposed to ensure that visual amenities of the area are retained. This is to be secured through appropriate conditions as suggest by the Council's Arboricultural officer.

Conclusions:

The proposed development will be the first phase of redevelopment and regeneration of Sutton Hill Local Centre. The new roadway will improve accessibility to the centre, but has been sensitively designed to ensure that speeds are appropriate for the busy central environment adjacent to school, shops and other community facilities. The proposal will reinforce the existing centre and create a new heart for Sutton Hill.

The scale, mass and design of the new retail and residential units, whilst contemporary are appropriate within this context and are situated to reinforce and enclose the local centre, whilst creating new opportunities for future residential development.

RECOMMENDATION: GRANT FULL PLANNING PERMISSION subject to the following conditions:

1. A03 - Time Limit 3 years
2. B05 - Details of materials
3. B06 – Samples of materials
4. B29 – Site Environmental Management Plan
5. BNS – Highways details
6. BNS – Details of scheme of extraction for hot food takeaway.
7. C38 - Development in accordance with deposited plans
8. C14 - Landscaping implementation
9. CNS – Highways visibility splay
10. CNS- Highways visibility splay
11. CNS – Details of opening hours before occupation of buildings
12. CNS – Details of feature landscaping and street furniture

Informatives

1. I30 Conditions
2. I31 Reasons for Grant of Planning Permission
3. RA Reason for Approval
4. I25 Fire Service
5. INS Highways
6. INS Ecological issues

REASON FOR APPROVAL:

The proposed development will be the first phase of redevelopment and regeneration of Sutton Hill Local centre. The new roadway will improve accessibility to the centre, but has been sensitively designed to ensure that speeds are appropriate for the busy central environment adjacent to school, shops and other community facilities. The proposal will reinforce the existing centre and create a new heart for Sutton Hill. Furthermore, the scale, mass and design of the new retail and residential units, whilst contemporary are appropriate within this context and are situated to reinforce and enclose the local centre, whilst creating new opportunities for future residential development.